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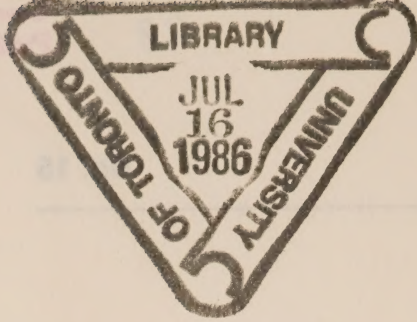
### Legislative Assembly of Ontario

**First Session, 33rd Parliament**  
Monday, July 8, 1985

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC



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### CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, July 8, 1985

The House met at 2 p.m.

Prayers.

## VERSION EN FRANÇAIS

**M. Pouliot:** Question de privilège, monsieur le président. Il est vraiment déplorable que la communauté francophone soit obligée d'utiliser les textes anglais de deux projets de loi portant sur l'éducation. Je parle ici du projet 28 et du projet 30.

Il est inconcevable que les francophones ne puissent obtenir une version française du projet de loi 28 qui a été déposé en Chambre il y a quand même 28 jours aujourd'hui, soit quatre semaines. En plus, il n'existe aucune traduction du projet de loi 30 visant à élargir le financement des écoles catholiques.

Nous demandons donc que le ministre de l'Éducation s'engage immédiatement à traduire ces deux projets de loi afin de donner aux francophones de la province de l'Ontario les armes pour faire face aux débats qui suivront.

**Mr. Speaker:** I do not really consider that to be a point of privilege. The honourable member suggested that a certain piece of legislation should be printed in French as well as in English. I suggest he take that up with the minister personally during question period or during consideration of the bill.

## STATEMENTS BY THE MINISTRY

### TELEPHONE RATES

**Hon. Mr. Fulton:** I would like to make a statement as a follow-up to the question raised by the member for Welland-Thorold (Mr. Swart) regarding the application by CNCP Telecommunications to compete in providing long-distance service and the potential impact on local telephone rates.

As I mentioned in my response last Friday, in approaching telecommunications policy questions, this government has as its goals, universal access at affordable rates and the development of a system that supports the economic growth of this province. To achieve these goals, my ministry represents Ontario's interests at the Canadian Radio-television and Telecommunications Commission hearings on these matters.

I must say there has been considerable confusion and misinformation recently on the subject of CNCP's application to compete in providing long-distance service. Bell Canada did not oppose competition, but countered CNCP's application with a proposal that telephone rates should be rebalanced before competition was allowed.

In its final argument before the CRTC, Ontario stated it did not support Bell's proposal to hike local rates only after the then Leader of the Opposition, now the Premier (Mr. Peterson), had asked a former minister to take a four-square stand against any local rate increases.

Competition in long-distance service was supported on the basis of its potential benefits to the people and economy of this province, benefits such as increased choice, greater efficiency, stimulation of industry and more jobs. I must repeat, it was supported only on the condition that there be no negative impact on local rates.

In short, this government supports healthy competition in the industry. I expect a CRTC decision on these issues will be made this summer. I also expect, regardless of the outcome, the decision will be appealed to the federal cabinet.

Finally, when the federal and provincial ministers responsible for communications meet in Montreal this October, I will support firmly the continued availability of affordable, universal telephone service in Ontario. In the meantime, I can assure the House, based on further research by my staff, I will be looking at the relevant issues in great detail. It will be at the October ministers' conference that I will outline this government's proposals for national policy in telecommunications.

### AUTOMOTIVE INDUSTRY

**Hon. Mr. O'Neil:** My statement today deals—

**Mr. F. S. Miller:** On a point of order, we do not have a copy of the statement.

**Hon. Mr. O'Neil:** I understand the statement is being delivered. My statement deals with the Canadian automotive industry. I am sure everyone in this House is fully aware of the significant role the Canadian automotive industry plays in



the Canadian economy, especially and more particularly in the economy of our province.

Our economy was led out of the 1980-82 recession by our automotive industry. This industry has shown a remarkable resilience in being able to weather recessions and reinvest in itself. During the worst days of the recession, the industry had 20 per cent unemployment, sales were down by 43 per cent and our auto trade deficit was in excess of \$3.3 billion.

Fortunately for all of us, the auto industry can and does reinvest in itself even during the worst times. During the six-year period 1979-84, the vehicle manufacturers and the parts manufacturers spent a total of \$4.7 billion on capital expenditures in Canada. The preliminary estimate for 1985 is approximately \$1.6 billion. No other manufacturing industry in Canada can match this growth in capital expenditures.

We are now reaping the benefits of past investments. Employment in this industry is at an all-time high, slightly more than 109,000 people in Ontario alone. Vehicle and parts production is at capacity levels with many plants working overtime. This is an industry which has renewed itself and will continue to do so in the future.

I do not believe it detracts from the industry's efforts and accomplishments when I say the federal and Ontario governments played important roles in helping this industry renew itself. These two levels of government have made important contributions in the areas of trade policy, investment assistance and training support.

Beginning in the spring of 1981, the federal government, with the support and backing of the industry and all parties in this House, obtained an agreement from the Japanese government that Japanese vehicle manufacturers would limit exports of cars to Canada. This agreement was renewed during each of the following three years, although each set of negotiations was long and difficult.

By limiting Japanese vehicle sales, North American producers were given increased assurance of their own sales and so they were able confidently to undertake the large investments that were necessary. With capital investment, especially in our current time of rapid technological change, comes the need for improved and increased training and retraining. Both levels of government have been active in this area.

I mention these details to provide some background and give a perspective to what I now have to say. Last week the federal government announced it had reached a vague understanding

with the Japanese government concerning the export of Japanese cars to Canada. In reading the agreement, I find it difficult to understand why it took so long to achieve so little. We had hoped the federal government would have been able to obtain an agreement to secure jobs and investment in Ontario similar to the \$3.6 billion of Japanese auto-related investments which has taken place in the United States.

**2:10 p.m.**

The federal government does not appear to be very well informed of the importance of a strong, growing automotive industry. Its understanding with the Japanese does not call for increased capital investment by the Japanese vehicle or parts manufacturers. It also does not ask the Japanese to buy more Canadian-made auto parts. How can members of this House expect the Japanese to undertake auto-related investment in Canada when we have a federal government that does not seem willing or committed to establishing rules and conditions that ensure a healthy Canadian automotive industry?

I will be meeting the Honourable Sinclair Stevens later this week. I intend to do all I can to impress upon him the need to set clear and consistent guidelines that will ensure that the Japanese automotive industry undertakes sufficient and productive investment in our economy.

I mentioned earlier that the two levels of government had provided assistance and support to the industry in three areas—trade, investment assistance and training. I have already described my disappointment in the recent quota agreement with the Japanese. I am equally concerned about the federal government's declining commitment and support in the areas of investment and training.

Since the Conservatives took over in Ottawa, there has been a steady erosion of federal financial support for the investment projects that must take place in our automotive industry. The federal government's industry and labour assistance program was one of the most cost-effective and successful investment assistance programs ever made available to our auto industry. It was strongly supported by the banks and other financial institutions and by the industry itself. The federal government saw fit to terminate this program.

It was replaced by the industrial and regional development program. Since September 4 there has been a virtual elimination of the industrial component of this program. This lack of support comes at a time when the investment needs of the industry are at an all-time high and when the



financial resources required substantially exceed those of the private sector.

The Ontario government has the automotive parts investment fund. This is a three-year, \$30-million fund designed to encourage investment in the auto parts industry, plus offer support for the training the new investments require. This program was implemented in November 1984 and has been so successful that two thirds of all the available funds were committed during the first six months. This generated more investment on the part of the private sector than was anticipated.

Quite clearly, additional federal funding is required if our auto industry is to be in a position to make the most of the opportunities that are available at present. I will be discussing this issue with Mr. Stevens when I meet him this week.

The third area concerns training. The federal government has recently cut back on its financial support for apprenticeship training in industry. I will also be raising our concerns on this issue with Mr. Stevens.

Our automotive industry is a crucial and strategically important part of the Ontario economy. For Canada to maintain its international role in this industry, it is vital that all major players doing business in Canada invest in Canada. If this does not occur, our automotive industry will begin to decline.

We must urge the federal government to link Japanese import penetration of our market to investment in vehicle assembly and parts manufacturing facilities in Canada. The federal government must recognize its obligation to this large industrial sector.

In closing, I would note that preliminary discussions have been held by the three party leaders to consider a resolution urging the federal government explicitly to link the increase in the quotas with commitments to invest in Canada. We hope to have a resolution acceptable to all three parties ready for introduction within two days.

#### ACCESS TO INFORMATION

**Mr. Grossman:** Mr. Speaker, I rise on a point of order. Standing order 26(a) of this House says, "Statements may be made by ministers relating to government policy, ministry action and other similar matters of which the House should be informed."

On Friday last, my leader asked a question of the Premier (Mr. Peterson) relating to the government's intention to move towards a ban on extra billing. In response, the Premier indicated

there was a variety of options he intended to discuss with the Ontario Medical Association and would give no further details. Moments later, to quote the *Globe and Mail* directly, "Mr. Peterson told reporters that the province will adopt the Quebec model."

Mr. Speaker, I would ask you, therefore, to inform the House whether, in your opinion, this information could and should have been provided to this House earlier on Friday in the form of a ministerial statement.

**Mr. Martel:** Surely the member does not really mean that.

**Mr. Grossman:** Are the New Democrats obliged to defend the government on every count? They fumbled the ball on equal pay; they embarrassed themselves on equal pay. They should not embarrass themselves by defending the government on this thing that they specifically have always called for.

Interjections.

**Mr. Speaker:** Order.

**Mr. Grossman:** Mr. Speaker, would you consider whether this matter ought to have been mentioned to the House by way of a ministerial statement, whether you might refer to this in the same way as an earlier Speaker did in response to a point of order raised by the now Premier, or whether you believe this conduct on the part of the Premier violates both the spirit and the letter of standing order 26(a)?

Finally, in view of the comments made last Tuesday in the lengthy statement by the Premier when he said, "We will move to bolster the role of members in this House; in this House everybody will count," would you contemplate whether this government has shown its intention to disregard an undertaking made to this House in the first major statement by this Premier and whether it has disregarded totally an important part of the standing orders?

Interjections.

**Mr. Speaker:** Order.

The member for St. Andrew-St. Patrick has brought forth a supposed point of order. In fact, there are a number of comments and requests included in that point of order. I believe the member referred specifically to a question that was originally asked in the House. As Speaker, I have no authority to request a member of this House to answer or to tell him how to answer. I am sure the member realizes that the standing orders state that a minister may or may not reply.

Out of courtesy, because of the many requests made in that point of order, I will take a look at it.

At the moment I would say that originally he requested information out of a question posed, over which I have no authority, but I will have a look at it.

### ORAL QUESTIONS

**Mr. F. S. Miller:** In Ottawa they have a rat pack; in Ontario we have an apologist rump.

**Mr. Speaker:** To whom were you posing that question?

### RENT REVIEW

**Mr. F. S. Miller:** I have a question of the Minister of Housing. Can the minister explain to us how the extended rent controls will increase vacancy rates and provide more affordable housing?

**Hon. Mr. Curling:** I think the member is referring to the point that was made in the Globe and Mail recently. The point I was making was that rent controls would not necessarily have a negative effect on the vacancy rate.

I had reasons for saying that. First, the government is on record as supporting a comprehensive program that will significantly increase the supply of rental housing. Second, we are confident the simple elimination of uncertainty throughout the construction industry will have a positive effect on the building stocks.

2:20 p.m.

**Mr. F. S. Miller:** He went a little further than that, unless the quote is wrong. The quotation I have says that when he was asked whether he was afraid that extending rent controls would decrease the number of apartments, he said: "No. As a matter of fact, quite the contrary."

I would like to know what reports he has to show that. With this open government, would he show us the reports he has to the effect that extending rent control would increase available housing? What will he do to make affordable housing available to people in Toronto, in Ontario?

**Hon. Mr. Curling:** It went a bit further, as the member said. If we have rent control, it brings those people in line to have affordable accommodation. That is what I was responding to. We talked about simply making our policy absolutely clear and aboveboard. Builders know we are not putting anything under the table. If these people know they can have affordable homes, that itself will give access to these things. I did not say it would make an increase.

**Mr. Timbrell:** What?

**Mr. Grossman:** Yes, you did.

**Mr. Timbrell:** Do you know what you said? Do you have any idea what you said?

**Mr. Speaker:** Order, order. Supplementary, the member for Bellwoods.

**Mr. Grossman:** Help him out, Ross.

**Mr. Brandt:** Get on the hay wagon and help him out.

**Mr. McClellan:** Now that the minister has understood that if the government has a rent control program it also has to have a provincial housing supply program, something which the Leader of the Opposition (Mr. F. S. Miller) never understood in his entire life and which he still does not understand—

Interjections.

**Mr. McClellan:** They stopped building housing in 1978.

Would the minister undertake to give the House a report of the results of the conference in Calgary, which he attended last week? Will he indicate to this House when he intends to announce the details of Ontario's provincial housing supply program, for which we have waited for so many years?

**Hon. Mr. Curling:** Yes, the conference in Calgary was quite informative and I intend to give a full report to the House.

**Mr. Elgie:** Good question. Well done, Ross.

**Mr. Speaker:** Order.

**Mr. Gordon:** The new Housing minister we have in this House fails to realize we have a lot of single people in Metropolitan Toronto who are finding it very difficult to get housing. To play a loose-lipped approach to a very serious problem, waffling on whether or not he said what he said, is not going to help that situation. How does he square his remarks, which are on record in the Globe and Mail, with the report from Clayton Research Associates to the Commission of Inquiry into Residential Tenancies, which was looking at rent regulations and rental market problems, wherein they say—

**Mr. Rae:** You are now opposed to rent reviews, are you?

**Mr. Gordon:** Would the pink rump be quiet please—by restraining rent increases such a program can maintain low rents in the existing rental stock but there is no rational reason to expect it to encourage new supply? What is he going to do about housing in this province, in Metro Toronto in particular?

**Hon. Mr. Curling:** The staff in the Housing ministry is quite competent. I will be consulting



with them. They are good civil servants and I will be meeting with them to find out good options whereby to provide supplies.

**Mr. Gordon:** Is that housing? Come on.

**Mr. Speaker:** Order.

**Mr. F. S. Miller:** I think I would have to speculate as to whether there are questions coming from my left, or simply answers for the ministers to get back to us from that direction.

**Mr. Speaker:** Is there a new question?

#### CENSORSHIP

**Mr. F. S. Miller:** I have a question for the Minister of Consumer and Commercial Relations. I would like to refer to a couple of his comments following his answers the other day.

According to an article in the Sunday Sun:

"He said he was 'just speculating,' but advocated turning the review board into 'more of a classification board.'

"They would tell the public, 'This is a rotten, horrible, terrible kind of thing and we are saying to you nobody should see it.

"But if someone wants to see it, good luck to you—just as long as everybody knows this is what we say about it."

Does that really mean the minister believes that classifying films would not lead to more pornography in this province? Does he really believe that?

**Hon. Mr. Kwinter:** In response to the question, the operative word in that statement was "speculating." It was not a speculation as to what I would do, it concerned the options.

I would like to go on record that I was unequivocal in my answer on Friday that we as a government are opposed to pornography, in every form. We are opposed to it when it comes to the degradation of women, the exploitation of children and gratuitous violence. Notwithstanding that, we feel we have an obligation to make sure creative integrity is also protected. That was the basis of the statement.

**Mr. F. S. Miller:** This party is not opposed to "artistic integrity," but we are very worried about where the minister is leading us. For example, I want to know who he is speaking for: his party, himself or the Premier (Mr. Peterson). This is not the first time in this last week we have had differing opinions from him or other ministers and the Premier.

I just have to go back to 1984 when the Premier was quoted as saying Mr. Peterson backs the Ontario censor board, saying it needs to be armed to act now and in the future. I think it was the year

before, in issuing the report that really caught the attention of quite a few people because it was a dramatic shift of policy, when he was quoted in the Canadian Press as saying: "The Ontario Liberal Party has called for a broadening of the censor board's powers and tougher obscenity laws to combat what it calls the growing menace of the new pornography."

Is the minister aware of what his leader is saying and his party's policies?

**Mr. Speaker:** The question has been put.

**Mr. F. S. Miller:** Is he afraid or does he believe, as the rest of us do, that this includes young people?

**Hon. Mr. Kwinter:** I am fully aware of the party's policy. If we take a look at the history of this issue we will see there are no easy answers. All we are going to do is to take a look at it.

**Mr. Breagh:** Not if Mary Brown sees it first.

**Mr. Speaker:** Order. Would the members allow the member for Mississauga South to put a supplementary question.

2:30 p.m.

**Mrs. Marland:** The minister said on Friday there was no question in his mind that some of the out-takes of the film the member is talking about constituted areas of grave concern. He is saying again today that he is looking at it.

Has the minister yet seen that subject of which he is speaking? Has he seen the out-takes film? If so, is it the minister's intention to ask the women and children of Ontario to pay for his desire to protect "artistic integrity" by tolerating the distribution and exhibition of degrading and exploitive material—

**Mr. Speaker:** Order. I think the questions have been asked.

**Mrs. Marland:**—which his party said during the campaign had been linked to negative attitudes and behaviour towards women and children?

**Mr. Speaker:** Order. A supplementary question is placed out of the material the minister has given in the answer. I believe you have given at least one supplementary there.

**Hon. Mr. Kwinter:** The answer to the member's question is no.

#### EQUAL PAY FOR WORK OF EQUAL VALUE

**Mr. Rae:** I have a question for the minister responsible for women's issues. The minister will be aware that a press conference was held today by the Equal Pay Coalition, a group



representing nearly a million women in Ontario. In the light of the very real concerns that were expressed this morning by the coalition with respect to equal pay in the private sector, is the minister prepared today to give us a clear indication of the timetable it is his intention to follow with respect to the introduction of equal pay in the private sector? Since the government is on record on many occasions as saying it is in favour of legislation, can he please give us that timetable today?

**Hon. Mr. Scott:** I would like to thank the honourable member for his question.

**Mr. Davis:** It is really a tough one.

**Hon. Mr. Scott:** I am new here and I did not realize the use of the expression "green paper" was a symbol for delay after 42 years. That was not our intention in selecting that mechanism. We anticipate the green paper will be prepared, with outside consultation from the community, by early autumn. There will be a further consultation period and I hope to have a bill available or prepared following that.

**Mr. Rae:** Following what?

Interjection.

**Mr. Rae:** No, no. It is all right. You will get your chance.

**Mr. Speaker:** I understood that to be a supplementary.

**Hon. Mr. Scott:** When the leader of the third party was in law school he was expected to ask brief questions and I am glad he has done so. The answer to the question "Following what?" is following adequate public consultation.

**Mr. Timbrell:** Rather than keeping interested individuals and organizations in the dark until such time as the minister chooses to release some paper for discussion, would he broaden the process now so all those individuals and organizations may have input, starting now and running right through to the conclusion of the legislation?

**Hon. Mr. Scott:** It is intended that any of those who wish to make representations during the course of the preparation of the green paper should be able to do so. Their representations will be happily and eagerly accepted. Following the publication of the green paper, which we hope will be in the early autumn and which will set out a number of practical options, we want a period for more formal consultation amongst those who may not have had the opportunity or the willingness to make submissions or representations at an earlier, more abstract stage. That is the course we intend to follow. We think it is

going to be fair, practical and reasonably expeditious.

**Mr. Rae:** The public is still entitled to know whether we are going to have legislation by the end of 1985. Is that legislation going to be put to committee before 1985? Can the minister tell us if legislation is going to be ready before the end of 1985? Yes or no?

**Hon. Mr. Scott:** The time frame will be dictated by the amount of time expended in public consultation. It is my hope we will have legislation towards the end of the year. Bearing in mind the variable nature of the process, particularly the consultation, I cannot be absolutely assured of that. I am going to do my best to see that timetable is met.

#### ACID RAIN

**Mr. Rae:** I have a question for the Minister of the Environment. The minister will be aware that one of the last acts of the gasping regime that has just been brought to its happy close was to put into effect a reduction in acid gas emissions that happens to coincide precisely with the plans put forward by Inco itself.

Does the minister not think it is completely inappropriate for the government of Ontario to be putting forward control orders that are nothing more or less than what the company itself indicated it was willing to do? Does he not think it is time to have a tougher, more effective form of regulation for Inco? If he does, can he tell us when he intends to bring it forward?

**Hon. Mr. Bradley:** It is the viewpoint of this government that all such control orders should be reviewed by the government and that we are not bound by what the last government considered acceptable. The leader of the third party may be assured we are reviewing that at the present time.

As he will know, in the past as an opposition party we have expressed our concern about the level of emissions permitted, not only by Inco but also by other companies in this province. Let me assure the member we will review that further, I think it is safe to say with a view to toughening up those restrictions.

**Mr. Rae:** I still think we are entitled to a time frame. I would like to refer the minister to an answer his leader gave to the Canadian Coalition on Acid Rain during the election campaign.

Specifically regarding Inco, he was asked, "If elected Premier, will you ensure passage of an order in council within six months of assuming office which requires implementation of this two-stage sulphur dioxide emission control

program in the shortest feasible time?" He answered, "Yes."

Is that still the position of the government? Can we still count on far tougher measures, with far more adequate technology, being introduced by this government within six months, as promised by his leader a short couple of months ago?

**Hon. Mr. Bradley:** I think the leader of the third party can be assured that in the review we are conducting on this issue as a ministry and as a government and cabinet, much tougher measures will emerge. I think the member can be assured as well that we understand the need for a reasonable timetable. As the Premier has indicated, that timetable will be six months. We will be working towards that objective.

**Mr. Brandt:** Can the minister indicate, with respect to both Inco and Ontario Hydro, what kind of target figure he has established in his ministry for reductions of sulphur dioxide and what amount of money the government intends to contribute towards the payment for the cost of achieving those reductions?

**Hon. Mr. Bradley:** I cannot indicate the specifics of that at this time, but as I have indicated to the leader of the third party that matter is under review.

I will also be reviewing the measures proposed by the previous government. As the member understands, there are costs involved, particularly in relation to Ontario Hydro. I am glad he mentioned Ontario Hydro, because we recognize that a significant amount of the sulphur dioxide produced in this province is produced by Ontario Hydro.

We recognize as well that whenever we attempt to clean up the environment it is done at some cost. However, the indication I received from the public previous to, during and subsequent to the election campaign was that the people of this province are prepared to pay the cost of a clean environment.

2:40 p.m.

**Mr. Martel:** Can the minister indicate whether any discussions have been started by his ministry with respect to the possibility of the construction of a new smelter in Sudbury, the possibility of a new refinery in Sudbury; and the possibility of using some of the sulphur dioxide, which becomes sulphuric acid, and combining that with phosphates to make fertilizer, as yet a second method of reducing the emissions that are causing such trouble?

**Hon. Mr. Bradley:** I cannot indicate to the member whether such discussions have taken place. I have not personally discussed that with my ministry officials, although I do recall proposals being made at some time in the past to show that the utilization of that product could be of some economic benefit, which therefore would make it much more attractive. As I review the various issues affecting the ministry that will be one of them. I thank the member for reminding me of that.

## EXTRA BILLING

**Mr. Grossman:** I have a question for the Minister of Health. For the 2,000 doctors in Ontario who have opted out, 70 to 80 per cent of all their services are provided on an opted-in basis—that is, they do not extra-bill for them—to people who cannot afford to pay any money for the services of those specialists.

In view of that, can the minister explain to the House why, in the five or 10 minutes it took the Premier (Mr. Peterson) to decide to take the Quebec option after we asked the question last Friday, his leader would have opted to create two classes of health care in this province?

The first class is for those people who can afford to pay the total amount of the services being provided by specialists who will decide to opt out under the Quebec model, and the second provides, in some cases, the services of less qualified and less experienced doctors, on an opted-in basis, to the less-well-off in society.

Why is his leader advocating two classes of medicine in this province, one for the rich and one for the poor?

**Hon. Mr. Elston:** I want to thank the member for bringing to my attention that he is concerned about the quality of health care provided by opted-in physicians. I ask him to provide me immediately with the names of those people he thinks are unable to provide quality service.

In answer to the specific question, which was with respect to the options available to us, we are examining a broad number of options and looking for helpful suggestions from any part of the citizenry of this province. I will welcome the member's assistance as well when we come to putting together a program that will provide what we are committed to, which is quality health care in Ontario.

I again ask the member to provide me with the names of those physicians who he says are not providing the people of Ontario with proper health care. It is my concern, as the Minister of Health, that those people he says are not



providing as high a quality of care, are using the opted-in process to deal with the provision of health care to the people of Ontario. I ask him to let me know who those people are.

Interjections.

**Hon. Mr. Bradley:** If they are opted in, the member is saying they are not providing—

**Mr. Speaker:** Order.

**Mr. Grossman:** With respect, the Minister of Health, who until now has been a fairly articulate speaker, perhaps has been taking advice from the Minister of Housing (Mr. Curling) on answering questions.

**Mr. Speaker:** Is that your supplementary question?

**Mr. Grossman:** I point out to the Minister of Health that perhaps he is mistaken with regard to all the options being open for the government. Again I want to quote directly from his leader. "Mr. Peterson told reporters that the province will adopt the 'Quebec model.'" That is what his leader said.

In addition, Dr. Charboneau, with whom we have spoken this morning, tells us she expects up to 500 of the opted-out specialists will opt out entirely. In view of that fact, I wonder how the Minister of Health can tolerate a circumstance where he is going to remove from the poor in society the opportunity of access to 500 of the very best doctors in the world practising here in Ontario and tell them that the government of Ontario will no longer pay for the services of these doctors and that they will have to pay out of their pockets themselves, i.e., the rich can have those 500 doctors and the poor will not have them any more.

**Mr. Speaker:** Order. I believe the supplementary was asked.

**Hon. Mr. Elston:** I want to thank the member for his concern about the quality of health care in the province. I do not doubt for a moment that he has been speaking with Dr. Charboneau and others in that part of the medical profession.

As the member knows, there are ways in which people might want to be opted out of the program without extra billing. There are all sorts of options available of which the member himself is probably aware. I would think he—

**Mr. Grossman:** The minister has no options.

**Hon. Mr. Elston:** If the member does not want to consider the options available to us, if he does not want me to consider the options available to me and to the medical profession and to the people of Ontario, let him say so.

If the member wants to provide us right away with his plan of action to deal with this question, let him send it over and I will consider it. Right now I am in the process of discovering the best and fairest way of implementing a system to which we are committed.

I say to the member, and he knows full well from being in the cabinet at one time or another, perhaps not always agreeing with his leader at that time—

Interjections.

**Hon. Mr. Elston:** There may be refinements available to various programs which are equally—

Interjections.

**Mr. Speaker:** Order. Is there a supplementary?

**Mr. D. S. Cooke:** Can the Minister of Health give us an assurance that when the negotiations are occurring and the options are being considered, the approach of the government will not be to buy off the doctors by enriching the fee schedule to buy peace?

Can the minister give us an assurance of the principle of accessibility for all, not the system the Tories have advocated which allows doctors to introduce means tests for the poor in this province, but a system in which a fee schedule has been negotiated and that fee schedule will be followed by all doctors who participate in Ontario?

**Hon. Mr. Elston:** The options put forward and the suggestions made by my colleague the member for Windsor-Riverside are reasonable. We are taking all the steps necessary for proper and fair negotiations and will put them in place so we can end up with quality health care for everyone in the province.

#### AGRICULTURAL FUNDING

**Mr. Ramsay:** I wish to direct my question to the Minister of Agriculture and Food. Is the minister aware of the serious financial problems Ontario farmers are having? Is he aware that while we await his ministry's farm financial package, there are farmers who are facing foreclosure daily? Will the minister please give us a date when he will present a farm financial package that will allow the farmers in Ontario to finance their debts at eight per cent?

**Hon. Mr. Riddell:** I want to assure the member that my staff have been working very diligently on a program since I became minister. We spent most of this morning going over the various options we feel would be most appropri-



ate to help the farmers in the financial distress to which the member alluded.

I was hoping by Wednesday of this week I would be able to bring a proposal before cabinet, but we are still trying to come up with the best option. Some time next week I hope to have something for cabinet.

**2:50 p.m.**

**Mr. Ramsay:** Is the minister aware that on Tuesday last, July 2, I tabled a motion in this House suggesting the minister present to the House a bill that would give a moratorium on farm debt until a farm financial package is in place? Will he consider that if this farm financial package is delayed any further?

**Hon. Mr. Riddell:** On the basis of the Saskatchewan model, we are not convinced the moratorium has proved all that successful. We do not think it to be the best means of helping our farmers. I believe the Premier (Mr. Peterson) indicated much the same thing when he was asked about it here recently. We feel there are other ways of assisting the farmers without putting a moratorium on farm bankruptcies, because that makes financial institutions very reluctant to lend.

I think the member also understands that in the Saskatchewan program, the interest continues to accrue and the lender is not obligated to lend any more to the farmers. That is a situation that simply postpones the agony, and it would be very doubtful if that farmer would be able to get any more credit from the financial institution. We think there is a better way than putting a moratorium on farm foreclosures.

**Mr. Sheppard:** During the campaign the minister promised us eight per cent money for farmers. Is he going to do it?

**Hon. Mr. Riddell:** In the event the member was not listening to my original response, we are definitely working on an eight per cent subsidy program. We will be introducing that next week, we hope.

**Mr. Timbrell:** Maybe; a very definite maybe.

**Mr. Speaker:** Order.

#### TOWER LOCATION

**Mr. Brandt:** I have a question for the Minister of the Environment. Is it his intention to hold full and complete public hearings under the Environmental Assessment Act with respect to the proposed construction of the television tower at Gores Landing? If so, when is the minister prepared to make a decision?

**Hon. Mr. Bradley:** I want to say I thank the member for the question, but I do not, of course.

I will indicate to him this afternoon that this matter is under review. There may be a solution to the problem which will satisfy the member as well as those in the area who have expressed some opposition. Before the House rises we hope to be able to provide the details of that particular reply. It may avoid the need the member has expressed at this time.

**Mr. Sheppard:** How much longer are we going to have to wait? There are more than 108,000 people who have been waiting.

**Mr. Eakins:** They have been waiting two years.

**Mr. Rae:** They have been waiting 42 years.

**Mr. Sheppard:** How soon can we count on it?

**Hon. Mr. Bradley:** I well understand the member's concern about the length of time it has taken. No doubt he has made his representations to the last three or four members who have been Ministers of the Environment on the other side. I can assure the member it will take this minister far less time to make a decision on that than it has my predecessors.

**Mrs. Grier:** Can the minister confirm that the Environmental Assessment Advisory Committee has recommended that, should the site of Gores Landing be chosen, there would be an environmental assessment?

**Hon. Mr. Bradley:** My recollection is that that is the case. Excluding anything else, the process alone certainly would point to that. One of the alternatives to be explored, I suppose—and the member for Northumberland (Mr. Sheppard) will be particularly interested in this as well—is the possibility of another site that might be acceptable to all concerned. That is being explored at present.

In answer to the member's question, if my memory serves me correctly I think the answer is yes.

#### POLICE ACTIVITIES

**Ms. Gigantes:** I have a question for the Attorney General concerning the intent of the government on the need for the creation of independent review mechanisms for complaints against the police in communities outside Metro.

Specifically, I ask him to give a token of the government's good intent on this matter by releasing now the nine-month-old Ontario Provincial Police report on the case of William Franklin Baker and the complaints against the Hamilton-Wentworth Regional Police, about

which he will recollect the member for Huron-Bruce (Mr. Elston), as critic of the Ministry of the Attorney General, said there needed to be a complete public airing.

**Hon. Mr. Scott:** The member knows the complaint bureau in Metropolitan Toronto has worked very successfully and we will be reviewing its process to determine whether there should be some broader application to other municipalities.

With respect to the Baker case, I have had occasion to review the file. As the members know, the Baker case is one in which the Ontario Provincial Police during the last government made an investigation into certain allegations to determine whether criminal charges should be laid. The previous Attorney General reviewed the report and decided charges should not be laid.

For a long time in this jurisdiction and in the United Kingdom, it has not been the practice of Attorneys General to release reports that lead or do not lead to the laying of charges for the very good reason that, by so doing, persons who are innocent may have their reputations severely, unfairly and unjustly injured. The previous Attorney General and I are consistent at least in that position.

**Mr. D. S. Cooke:** My supplementary question deals with the case reported in the *Globe and Mail* today of a Mr. Kirpar Sandhu from Windsor, who has a complaint about the Windsor police force. Without making any judgement in the matter as to who is and who is not correct, does the Attorney General not understand the frustration of someone who complains to the police commission and to the Ontario Human Rights Commission, who does not get satisfactory responses, who does not feel his case has been dealt with in an independent way and who feels his only alternative is to go to the press to have a public hearing of his case?

When does the minister expect to respond to a real need in this province for independent reviews, not just in Metropolitan Toronto but also all across this province, so that fairness is not only done but also is seen to be done?

**Hon. Mr. Scott:** With respect to the Windsor case, it may be premature to draw the conclusion there is any need there. As I understand the matter, the investigation of the allegation by the police has only commenced. I would prefer to leave the matter for consideration until the report is completed and at hand.

#### JOB CREATION, SKILLS TRAINING

**Mr. Gillies:** The Premier will be aware that about a week and a half ago the government of

Canada unveiled its new, \$700-million skills training and job creation program. When will the Premier be unveiling the details of his government's program, which we assume will be complementary to the federal program; and specifically, can the Premier tell us what steps he is taking to ensure that Ontario will receive its fair share of federal funding?

**Hon. Mr. Peterson:** I am going by memory in my reply to the former minister, who is very much aware that under the new federal initiative Ontario was not receiving its historic proportion of the funds. I know it is something that gave consternation to the former minister as well as to me.

When one looks across the broad range of federal programs now being presented in this country, one can see a diminution in the contribution to Ontario's share, at least in historic terms. That is an item that is very high on my agenda, as are a lot of other federal-provincial issues. It is my hope to be speaking with and meeting with federal ministers, as well as the Prime Minister, in the not-too-distant future and to put forward, in very strong and unequivocal language, the position of Ontario that we are entitled to our fair share.

#### 3 p.m.

When I go to those meetings, I hope I will be able to take the member's support for Ontario's classic relationship in regard to federal support. I hope I can say I talked to the former minister, who is knowledgeable on these issues, and "he shares my strong view, Mr. Prime Minister, that we should not be taken advantage of in this regard." Can I count on that?

**Mr. Gillies:** If the Premier is saying he will say "Hi" to the Prime Minister for me, he goes with my best wishes; however, the question goes beyond that. It is all very well for him to say he will be undertaking negotiations which some time late in this fiscal year may bear fruit; I am asking for something further.

My supplementary question to the Premier concerns the fact there may be thousands of Ontario residents, both older workers and young people, who may go without training in this fiscal year. In view of this, will he take extraordinary measures to ensure they will be trained, either under the federal program or under some measures announced by his government? Will he undertake to do this in the very near future?

**Hon. Mr. Peterson:** The question is clear. Yes, it is a top priority of this government to deal with these questions. Obviously, in the name of



efficiency, we want to dovetail that with the federal initiatives. It seems to me it is one of those approaches that must require the mobilization of all levels of government, all institutions in society, to make sure we have the relevant modern training facilities to give our young people a real opportunity in the future.

The answer to the member's general question is a very general yes. I would expect to be putting specifics on it in the very near future and I thank him for his question.

**Mr. Warner:** I wonder whether the Premier would also consider trying to redress the failure of the last government in establishing once and for all a co-operative, three-way approach to an apprenticeship program? Government, business and labour together would for the first time be creating such a co-operative apprenticeship program in Ontario. Will the Premier undertake that during his discussions?

**Hon. Mr. Peterson:** I should assure the honourable member that I am spending my entire time redressing the failures of the former government.

His point is extremely well taken. It is going to take a co-operative effort. Certainly there is a spirit of co-operation in the discussions I have had to date with some of the leaders of our major educational institutions, business leaders and labour leaders as well. People want to work together. It is my intention to provide, through this government, the kind of leadership needed to get everybody working together on this most critical question.

### SOUTH AFRICAN WINES

**Mr. Warner:** I have a question for the Minister of Consumer and Commercial Relations. He will be aware that the federal government has finally recognized that a tougher stand needs to be taken against the racist regime of South Africa. I wonder whether the government of Ontario will now assist that effort by immediately removing all South African wines from the shelves of the Liquor Control Board of Ontario.

**Hon. Mr. Kwinter:** This government is very aware of the terrible oppression the people in South Africa suffering from apartheid are under. It is our policy to be in consultation with the federal government on its policy. Members will note that Mr. Clark's comments fell just short of imposing trade sanctions. We will certainly be looking at this situation very closely and if it warrants we will take the action.

**Mr. Warner:** While I appreciate the interest shown by the minister, another province has already taken leadership on this issue, namely, Manitoba. Surely when that province has already removed South African wines from the shelves, this government can similarly show some leadership.

I ask him to reconsider his answer and guarantee us now that this province can show leadership against one of the most heinous regimes on this planet. Will he please undertake, as his colleague in Manitoba has, simply to remove the wines from the shelves of the LCBO?

**Hon. Mr. Kwinter:** The Manitoba situation is such that the products of South Africa are removed from the shelves but they are available upon request. We will be looking at the total picture and we will make the appropriate recommendations.

### CENSORSHIP

**Mr. F. S. Miller:** I have another question for the Minister of Consumer and Commercial Relations. He very briefly answered a supplementary for the member for Mississauga South (Mrs. Marland) with one word: "No." My recollection is he was saying no to the fact he had not seen the out-takes. That is my impression. I just wonder whether this minister, in his musings and wondering, has decided he wants to eliminate censorship without even seeing the material that is currently removed from films in Ontario.

**Hon. Mr. Kwinter:** The honourable leader is making some premised statements. I have never said I wanted to eliminate censorship. That is not on the record at all.

I would just like to point out that in my new responsibilities I must administer 76 different acts. I have set up a series of consultations with the various agencies I am responsible for and I will be meeting with the Ontario Film Review Board next week.

**Mr. F. S. Miller:** There may be 76 acts. We have been there; we understand that. The fact is, across this province in the election campaign, we in our party and the minister's leader too, I believe, talked very strongly about the need to reinforce the family, to eliminate pornography. Yet the minister is musing aloud and confusing the issue. Will he tell us whether he is really interested in eliminating pornography or not? Is he still considering the elimination of censorship as an option?

**Hon. Mr. Kwinter:** I would refer the honourable leader to the article he quoted from the Sunday Sun. If he will look at it, he will see



there is a picture of me and underneath it says, "No porn for him."

[Later]

**Mrs. Marland:** I have the article from the Sunday Sun to which the minister just referred. I would like to quote from it, since he referred to it as saying "No porn for him."

"He said he was 'just speculating,' but advocated turning the review board into 'more of a classification board.'"

"They would tell the public, 'This is a rotten, horrible, terrible kind of thing and we are saying to you nobody should see it.'"

"But if someone wants to see it, good luck to you—just as long as everybody knows this is what we say about it.'"

Among the options, is the minister looking at eliminating the film review board?

**Hon. Mr. Kwinter:** The answer is no. That was a speculation as to the various options available, not necessarily only to me but to any jurisdiction. That is the option which has been adopted by some jurisdictions. Again, the answer to the member's question is no.

**Mr. Grossman:** So that this House understands—this is now the fourth or fifth version of what it is he said here on Friday—the minister is putting the proposition that in the newspapers he was speculating on a number of options, but he is telling this House that, in spite of his speculation on those options on Friday, one of those he talked about, eliminating censorship, is not an option.

Is that what the minister is saying? Is he saying he talked about several options, including eliminating censorship—

**Mr. Speaker:** The question would be, "Does he agree?"

**Mr. Grossman:** —and letting people see what they want? Is he now telling us he has excluded that option? Yes or no?

**Hon. Mr. Kwinter:** Our party is on record as to how it stands on censorship, and we are opposed to those options. I was speculating as to the possible options that were available. Where we are at the moment is that there obviously is some concern. The parties on the opposite side have changed positions over the years. There are people who are very concerned about what is going on and we are going to make sure all parties to this legislation are protected.

#### TELEPHONE RATES

**Mr. Swart:** My question is of the Minister of Transportation and Communications and it fol-

lows on the statement he made today. I must say immediately I am amazed he is not prepared to change in any way the position taken by the previous government in support of the CNCP Telecommunications application.

I want to ask the minister whether he knows it is inevitable that, if CNCP and other companies are allowed into the long-distance telephone field, local rates will have to increase substantially to make up for the loss of revenue from the inevitable reduction in long-distance charges. The other provinces know this and, with the exception of British Columbia, they are vigorously opposing the CNCP application.

Has the minister not read the Peat Marwick report which, incidentally, Ontario helped to finance and which shows the danger to the local rates? Will he not reconsider his need to support the former government and notify the CRTC that the Ontario government now opposes the CNCP application?

**Hon. Mr. Fulton:** I can only reiterate the previous statement. We will not allow the local user, the home owner, to carry the burden for CNCP. We are opposed to any increase in the local rates to accommodate long-distance rates.

**Mr. Swart:** May I ask the minister whether he really thinks there is any distinction between the CNCP application and the necessity for a rate rebalancing? Does he not think it is something like being in favour of motherhood and being opposed to pregnancy? Does he not realize that both the present Premier (Mr. Peterson) and the Treasurer (Mr. Nixon) understand that approval of the CNCP application means rebalancing and massive increases in local rates? In fact, they opposed the CNCP application.

How would the minister explain the comments of the present Treasurer, speaking in a debate on this issue, which I initiated last November 5, when he said, in concluding remarks on the CNCP application, "We suggest that the only sensible alternative for him"—speaking of the then Minister of Transportation and Communications—"would be to come down strongly in favour of the telephone users in Ontario who do not want their long-distance services fragmented."

**Mr. Speaker:** Order. That is very good, three supplementaries.

3:10 p.m.

**Hon. Mr. Fulton:** I am not sure which question he would like answered, but perhaps the member opposite might extend the courtesy of providing me with the information he has in front

of him so that I could properly research the question and clarify to my satisfaction the statements he indicated. I can only indicate once again that we will not stand by and allow the home owner, the consumer, in this province to bear the projected cost of increases for the monthly rates.

### SHELTERED WORKSHOPS

**Mr. Allen:** I have a question for the Minister of Community and Social Services. Not having had an opportunity to congratulate him in his new post, I recognize him as a man of good conscience and a clear head. We are very happy to see someone like that in this position.

In the short time he has been in office, has the minister observed that handicapped workers in Ontario, in particular those at the Canadian National Institute for the Blind sheltered workshops in Hamilton, are being punished by the regulations of his ministry for simply trying to earn a living?

I take the example of Mr. Frank McNeil, who works in that workshop. He has not had a raise in four years. As a married person, he is allowed to earn \$150 a month and there is a 50 cent dockage on every dollar he earns beyond that. The result is an absolute loss of incentive to continue with work beyond the quota. A further result is the loss of contracts the workshop can handle—

**Mr. Speaker:** Your question?

**Mr. Allen:** Is the minister aware of the situation? What is he prepared to do through his ministry about giving handicapped workers in sheltered workshops in Hamilton a better income deal?

**Hon. Mr. Sweeney:** I thank the member for the vote of confidence. I am well aware that sheltered workshops for all of our handicapped people, the physically or the developmentally handicapped, are facing this problem.

My ministry is now reviewing the whole procedure of how people are paid in sheltered workshops. One of the distinctions we have to make is which of those workshops are truly workshops and which are training centres. When the decision is made that it truly is a workshop where a person is performing a service and getting paid for that service, then a fair wage is going to have to be paid. If it is strictly a training centre, then another kind of payment is going to have to be made available.

The member is probably aware that the kinds of distinctions that have been made in the past are likely to be challenged under the new Charter of

Rights and we are going to have to face that challenge.

**Mr. Allen:** I wonder whether the minister has a timetable for us on that review since we have been waiting for so long for precisely that kind of undertaking from that ministry.

Is the minister aware that the income of such workers can be increased with no cost to the ministry inasmuch as the income comes from the contracts performed within the workshop for businesses that place contracts with them? There is no logic whatsoever in maintaining an upper maximum limit on the amount of income they can receive. It only depresses the whole activity of the workshop, reduces the income and is unfair to everybody concerned.

**Hon. Mr. Sweeney:** I concur with the member's observation that handicapped people in some of the workshops supported by this ministry are not being treated fairly. I do not think there is any argument about that. I was trying to make the point that this process is currently under review under the conditions I described.

The member is correct in that the contracts from businesses with respect to the amount of money the workshop gets from the business certainly can be changed. When the decision is made that the work is being done and a service provided, then a fair income is going to be exacted and a fair wage is going to be paid.

### EQUAL PAY FOR WORK OF EQUAL VALUE

**Mr. Elgie:** I want to follow on from the trend of the question by the leader of the New Democratic Party to the Attorney General in regard to his responsibilities for women's issues. I am particularly worried since the member for Scarborough-Ellesmere (Mr. Warner) has insisted that the Ministry of Consumer and Commercial Relations follow the Manitoba example in certain matters. I wonder if the Attorney General can give this House an assurance as to whether he will be considering the option that was submitted to the Manitoba Legislative Assembly on June 20, Bill 53, pay equity legislation.

If I might quote a document signed by the Minister of Labour of Manitoba and Muriel Smith, the Minister responsible for the Status of Women, this is the nature of the proposal put forward by that bill and I want to know if it is one of the options the minister is considering:

"The private sector is not required by this legislation to implement pay equity. We believe that private sector employers will voluntarily



implement pay equity in accordance with our charter of rights and liberties and in accordance with our country's responsibility as a member of the United Nations."

Is that going to be an option, or is it the case that a socialist is a socialist is a socialist, the way a Liberal is a Liberal is a Liberal?

**Hon. Mr. Scott:** The option my friend referred to that has been adopted in Manitoba, saying there should be no equal pay for work of equal value in the private sector, may be the NDP's preferred option in Manitoba, but it is not an option we are considering seriously here.

**Mr. Speaker:** The time for oral questions has expired. I might say to the members they may want to look at Hansard and recall the one supplementary made by the member for York South (Mr. Rae) and the reply by the Attorney General (Mr. Scott). I thought that was very brief and a good example for all members.

3:20 p.m.

#### NOTICES OF DISSATISFACTION

**Ms. Gigantes:** I would like to give notice of my dissatisfaction with the answer given to my question today by the Attorney General (Mr. Scott) and ask leave to debate the matter at adjournment tomorrow night.

**Mr. Speaker:** I hope you will notify the table under the proper standing order.

**Mr. Warner:** Under the standing orders, I wish to indicate I am dissatisfied and upset with the answer given to me by the Minister of Consumer and Commercial Relations (Mr. Kwinter). I wish to debate the matter at a late show tomorrow night.

#### PETITIONS

##### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Jackson:** I have a petition signed by 342 Halton public secondary school teachers and a further series of petitions from 333 members of the general public on the constitutional referral of separate school funding.

#### MIDWIFERY

**Mr. Morin-Strom:** I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario, as follows:

"Whereas Canada is the only western industrialized country in the world that does not have provisions for midwifery;

"Whereas among the industrialized countries of the world, the ones with the best birth outcomes in terms of low mortalities and morbidities are those with the largest proportions of midwives;

"Whereas the child-bearing families of Ontario are seeking alternatives and options to the present maternity care system;

"We petition the Ontario Legislature to amend the Health Disciplines Act to recognize midwifery as an independent health care profession under the Health Disciplines Act and to implement midwifery services in Ontario."

This petition is signed by 288 residents of Sault Ste. Marie. I would like to endorse this petition.

#### MOTION

##### COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on members' services be authorized to meet in the afternoon of Tuesday, July 9, 1985.

Motion agreed to.

#### ORDERS OF THE DAY

##### WORKERS' COMPENSATION AMENDMENT ACT

Hon. Mr. Wrye moved second reading of Bill 32, An Act to amend the Workers' Compensation Act.

**Hon. Mr. Wrye:** When I introduced this bill last Friday, I outlined its main features in very general terms and put forward the government's rationale for selection of the particular benefit-adjustment factors it contains. Today I would like to describe in some detail the impact of the proposed measures on those who currently receive workers' compensation benefits.

This year the application of the proposed amendments is somewhat complex. In fact, I would say it is quite complex in some areas by virtue of the enactment of Bill 101 in the intervening period between successive annual benefit adjustments.

Members will recall that certain benefit-related sections of that bill came into effect as recently as April 1, 1985. With regard to illustrating the new entitlements arising out of the bill before us today, it will be useful to draw a distinction, where appropriate, between claims that originated prior to and following that particular date.

The effect of the proposed five per cent amendment on persons in receipt of a permanent



disability pension is relatively straightforward. Where the injury in question was sustained before April 1, a worker will receive the full five per cent amount. The covered earnings ceiling for such workers, now set at \$26,800, will rise to \$28,200, an increase of slightly over five per cent because of the rounding-off factor. This will result in the maximum benefit payable in respect of permanent total disability rising to \$1,763 per month from \$1,675. The minimum benefit payable rises to \$868 from \$826.

For workers receiving a permanent disability pension for an accident that occurred on or after April 1, 1985, benefits will also rise by five per cent. However, in this case the covered-earnings ceiling of \$31,500 established just three months ago will not change. Minimum amounts payable for permanent total disability will increase by five per cent from \$10,500 to \$11,025 for injuries occurring after April 1.

In the case of survivors' benefits, where the fatality concerned occurred prior to April 1, 1985, those benefits are going to be increased by eight per cent effective July 1. This will result in the spouse's pension rising from the present \$593 per month to \$641. The dependent child's allowance will be increased from \$165 to \$179 a month.

Survivors' claims arising out of fatalities occurring on or after April 1, 1985, are subject to the terms of the dual-award survivor scheme introduced in Bill 101. Those benefits are earnings related and will rise by five per cent, subject again to the retention of the \$31,500 earnings ceiling established in April. The minimum amount payable will be increased by five per cent from \$10,500 to \$11,025, the same minimum that applies to the permanent total disability pensions awarded after April 1.

As I explained in my statement last Friday, the purpose of the extra three per cent to be paid to pre-Bill 101 survivors is to commence the process of closing the gap between the monetary entitlements of the survivors before and after proclamation of Bill 101's provisions. The overall magnitude of the gap has been estimated to be around 13 per cent and it is our intention that the remaining portion will be reduced further, as benefit levels are revised, until it is eventually eliminated.

Perhaps the most complex application of today's bill is to temporary compensation recipients. As I am sure the members are aware, enactment of annual amendments to Workers' Compensation Board benefits generally does not directly affect the level of payments made to

existing temporary compensation beneficiaries. On this occasion, a limited number of those claimants will receive an increase of up to five per cent. The circumstances in which this situation arises are related to the provisions of Bill 101.

When the benefits section of that bill became effective on April 1, 1985, most persons receiving temporary compensation benefits on that date were awarded a five per cent increase. An exception occurred where workers were at or close to the covered-earnings ceiling of \$26,800, which remained unchanged. Increases for such workers would have been precluded or limited by the ceiling. The present bill will ensure that those workers still on temporary benefits at July 1, who failed to obtain the full five per cent increase on April 1, now will receive the balance up to a five per cent maximum by virtue of a rise in their earnings ceiling to \$28,200.

In summary then, all permanent disability pensioners will receive a full five per cent increase, the only exceptions being new claimants since April 1 who are at or near the \$31,500 earnings ceiling. All pre-April 1 survivors' claimants will receive an eight per cent increase and all those with claims arising after that date will receive five per cent, again with the sole exception of cases where the \$31,500 ceiling intervenes.

The amendment will have impact on temporary compensation claimants only where they are ineligible for the full five per cent adjustment implemented in April.

During question period last Friday, the leader of the third party expressed disappointment at the fact that the present bill failed to contain provisions for the future indexation of pension benefits for injured workers. The response of the Premier (Mr. Peterson) quite properly indicated that the increases awarded are somewhat higher than would have been called for on the basis of indexation, either to the consumer price index or the average industrial wage over the past 12 months.

**Mr. Martel:** That is a red herring and you know it.

**3:30 p.m.**

**The Deputy Speaker:** Order. I will take the opportunity of this intervention to point out there are a lot of private conversations going on. Will the members please take their seats or carry on their conversations outside?

**Hon. Mr. Wrye:** Nevertheless, I confess I am sympathetic to the issue raised by the honourable member. On a number of occasions in the past, I

have publicly supported the principle of indexation in this context, as have many other members of my party. I have not changed my viewpoint on this issue, nor has the government.

However, in developing the provisions of this bill, I was very much aware of the desirability of speedy introduction and passage of these amendments by the House before the summer recess. I believe some of the implications, financial and otherwise, of indexation are worthy of thorough examination before certain decisions are made. I refer to decisions about precisely how it is to be introduced, how frequently adjustments will be made, which indicators or indicator benefits should be indexed, and so on. On all of these issues, I would like to consult with and seek the advice of the various constituencies with an interest in the matter—including, I might say, my friend in the third party.

**Mr. Elgie:** What about me?

**Hon. Mr. Wrye:** I always will be seeking the advice of the former minister. I just thought the member for York East (Mr. Elgie) would take that as a given.

**Mr. Elgie:** Now I can relax. I was worried about that.

**Hon. Mr. Wrye:** In the context of the present bill, there simply was not time to do all these things and have the bill ready for presentation in time to secure early enactment. In the meantime, I am pleased to note that the increases the government is proposing are such that the injured workers of this province will not suffer any financial penalty as a result of the decision to adopt a considered approach to implementation of indexation.

In fact, the present bill ensures they will benefit from a real increase in the value of their compensation payments. This being the case, I have every expectation the House will endeavour to secure rapid passage of the proposed amendments so that the workers involved can begin receiving the new higher benefits at the earliest possible date.

**Mr. Elgie:** I rise in support of this bill and in so doing, congratulate the minister for introducing it. The bill quite properly aims at protecting the benefits of injured workers and those who have suffered industrial disease, as well as survivors of those workers who are deceased. I certainly support this, as will my party. At the same time, I would also like to congratulate him for his statement to this Legislature committing himself and his new government to carry on the process

of reform that was initiated and introduced by this party.

As we are talking about these very important amendments, I would take the opportunity to review in a general way some of the history of the Workers' Compensation Board. I think we often should look back to when that great Ontarian and great Canadian, Sir James Pliny Whitney, then Premier of this province, introduced that international-precedent-setting legislation here in 1914. The number of obstacles facing workers in those days was incredible. Considering the difficulties the then Premier must have faced as he moved into this very important area, the final result must have given him great satisfaction.

**Mr. Wildman:** The Conservatives have rested on their laurels since then.

**Mr. Elgie:** I noticed the leader of the New Democratic Party had on his campaign suit today. It was all blue—and he had on a blue tie. I have not seen him in that suit since the election. Did he save it up so he would look like a Tory during the campaign and hide it in the House here? Or what is going on here?

**Mr. Laughren:** On a point of order: I believe he was wearing that blue suit because he was worried about this bill and it seemed—

**The Deputy Speaker:** No. That is not a proper point of order.

**Mr. Elgie:** I do not believe the leader of the third party would be blue about the bill; I believe he would be blue about many things sitting around—

**Mr. Martel:** Quite frankly, our leader was at a funeral.

**The Deputy Speaker:** You are out of order.

**Mr. Elgie:** Over the years, of course, there have been many amendments to that bill, improving the benefits and changing some of the processes and procedures. A further major reform was commenced in 1980, during my tenure as Minister of Labour, with the publication of a green paper which had been prepared at my request by Professor Paul Weiler. That paper, as members will recall, was entitled *Reshaping Workers' Compensation for Ontario*.

My successor, Russell Ramsay, then MPP for the riding of Sault Ste. Marie, carried on the process through a white paper that eventually resulted in the passage of Bill 101 which, as he said in a previous statement, is phase one of the reform process. That bill, which has now been passed, introduced very substantive and important changes to the administrative structural



procedure and to the benefits of the Workers' Compensation Act.

In particular, and these are matters I took a good deal of interest in, there was the establishment of an external appeals board with an independent chairman and side-persons representing both injured workers and employers.

Second, I deemed it very important that there be not only worker advisers but also employer advisers. I understand the minister is carrying on with the suggestion that some thought should be given to whether these advisers might travel around the country from time to time to provide important advice to smaller outlying communities that otherwise would not have the opportunity to receive that advice.

The establishment of an industrial diseases panel was a most important concept. I think it will add greatly to the capacity of the restructured board to deal with the many industrial illnesses and diseases that workers face these days. There were, as well, very significant benefit improvements in that bill.

I said in this House on June 11, 1985:

"The momentum of our reform of the Workers' Compensation Act will be accelerated with the early completion of the review of the remaining features of the compensation system, an equitable formula for compensating permanent disabilities, a fair and rational means for periodically adjusting pensions, the introduction of an effective experience rating system and the establishment of reinstatement rights for injured workers."

It was with great pleasure that I heard the minister, in his statement last week, confirm that the process of reform will continue.

We commend the minister in the present government for continuing this commitment to reform. We indicate our support for the well-deserved increases in benefits, including the three per cent that closes the gap. The minister will recall that closing of the gap was a commitment given by the then Honourable Russell Ramsay when he said to the committee of the whole House on October 23, 1984: "It is desirable to narrow disparities and entitlements between those widowed prior to the proclamation of the new act and those claiming after its introduction."

It is my intention to address this matter when the next ad hoc increase in WCB benefits comes before this House. At that time I will be proposing a special supplement for spousal survivors whose entitlement arose before proclamation of Bill 101 to bring this group's general

level of continuing benefits into line with the pensions of new claimants. I am pleased that the minister has continued with the previous minister's commitment in that regard.

If I may sum up once again, I will be supporting the bill and my colleagues will support it.

3:40 p.m.

**Mr. Martel:** I would like to start with a little quote, if I can get the minister's attention:

"Injured workers will continue to have to come cap in hand to the minister annually to plead for adequate increases. Rather than instituting an unbiased system of determining increments based on actual economic conditions, the decision continues to be made at the partisan political level."

That quote is from a statement submitted on June 13, 1984, by the member for Essex South (Mr. Mancini), Ms. Sheila Copps, the then member for Hamilton Centre, and the member for Windsor-Sandwich (Mr. Wrye), the present Minister of Labour.

I listened to his comments when I interjected. I took the trouble to phone the people in the labour movement to find out whether they wanted to have further consultation before indexing was introduced and they said: "No, thank you very much. Just get it introduced."

I then checked with the groups that fight daily for injured workers in the province. I said, "Do you want further consultation?" They said: "No, thank you very much. If nothing else, just get indexing in."

I am going to come back to my friend's comments and the comments of a bunch of his colleagues. He is playing a game that does not need to be played. The members on that side of the House have agreed it is necessary; the people who are affected say it is necessary and want it now; and the trade union movement says it wants it now. I do not know who does not want it except the Tories, who would not introduce it, and now the minister.

It is strange. In 1966, indexing was introduced in British Columbia; that was 19 years ago, if my friend does not have a calculator. It was introduced in Quebec and Nova Scotia in 1974 and in the Yukon in 1975. Here it is 1985 and we have yet another apologia. I hate to be so critical and use that term, but I will quote some of the statements he made as a member and front-bencher of the Liberal Party before he became minister. He should be embarrassed either by what he said then or by what he is doing now. He

cannot have it both ways, which is what he wants.

Let me continue. We started a study back in 1979 or 1980 with the Weiler report, and Weiler recommended indexing five years ago. The minister quoted Weiler in a report that he said he wrote primarily on behalf of his party. I think Weiler said the following: "It is long past time for Ontario to make an explicit judgement of policy about the problem of workers' compensation and inflation, and to develop legislative criteria and a procedure which will deal with the issue in a relatively principled and nonpartisan fashion."

We had a whole study of that. Why are we having another? Who are we going to talk to? It is not necessary. At a time when the federal Liberals in Ottawa are beating their breasts about indexing and pounding the table to try to bring a group of Tories into line, in Ontario we have a Liberal Minister of Labour (Mr. Wrye) refusing to introduce what for years he said he wanted. He is now going to go out and interview some more people. What kind of nonsense is he talking about?

Let me read a little extract. He will enjoy it. I will not even tell him who the author is. It reads:

"I, for one, cannot understand why we have to go through this charade every June. The minister is aware of the views expressed...by Professor Weiler.

"Having sat on the committee and having reviewed them thoroughly, I want to say it is time to take this whole issue out of the political arena so we are not in a situation of the government trying to decide whether it ought to meet inflation, or come close to inflation, and the opposition trying to pick a number out of thin air. We should simply take the best objective method of indexing injured workers' pensions and benefits each year, by looking at the increase in the average industrial wage.

"After all, what is an injured worker? He or she is someone who, if still in the labour force, would be a part of that average industrial wage. I would urge the minister to go back to his colleagues and make this the last year...."

Last June the member wanted the minister to make the change. Thirteen months later, who is here introducing the same malarkey? It is a disgrace.

There does not have to be a lengthy discussion. Introduce indexing. Any type of adjustment can be made. I saw the minister's statement on Friday and I was taken aback. I knew it was a red herring. He is going to say, "It is more than the rate of inflation." So what? The adjustments

could be made with indexing if the minister felt so inclined. That is no excuse for not introducing it.

**Mr. Elgie:** Move no confidence in them.

**Mr. Martel:** I will be moving a motion and the member will have a chance to vote if he wants. I know how he will vote, as Tories have always voted: against indexing and injured workers.

If that is not bad enough, when that member sat down, the now Minister of Community and Social Services (Mr. Sweeney) made the following statement. I think the minister knows him; he sits right next to him.

"Finally, there is the total absence of any reference to indexing annual increases. We have said over and over again that as the average industrial wage changes in Ontario, as the general spectrum of workers in this province gains from that increase in the average industrial wage, so must injured workers who would have benefited from it had they been in the work place, and they are not in the work place through no fault of their own. This is a no-fault system; therefore, we have to build into our program and legislation a form of indexing that recognizes changes in the average industrial wage. This has not been done.

"I have tried to indicate to the minister what we recognize as the benefits in this legislation. I have also tried to suggest to him the glaring, fundamental weaknesses and omissions in this legislation that lead us to say we cannot support it."

There was no indexing and the Liberals would not support it. The first Liberal minister in 42 years comes in here with a lot of poppycock about interviewing. The trade union movement does not want to be interviewed, nor do the injured workers. I do not know who the minister wants to interview. I do not know what the nonsense is about. For years the minister and his colleagues have argued that it be ended, that it could be introduced forthwith, and yet we are going to study it. Have the bureaucrats got to the minister already? In 10 days, have the bureaucrats put him in his place?

For too long I have listened to the minister and his colleagues say it could be done. It must be done, and I do not know anyone who is opposed to it, except maybe some of the bureaucrats or some of those people at the board. It is an absolute disgrace to listen to the minister come in here today and tell us he has to consult. It is unbelievable.

3:50 p.m.



It is also unbelievable because of a paper the board has prepared. We know what happens to workers who have an inadequate pension: they end up on this little pension and maybe the Canada pension plan. The CPP is far more enlightened than anything we do at the Workers' Compensation Board with its lousy meat chart, which chops a man or a woman up into little pieces and says 70 per cent of him or her can work but the rest cannot, so we will give a 30 per cent pension to cover that which cannot work. For a miner, that 30 per cent really is the whole ability to work; for a construction worker, it means the man cannot work. Yet we have this system.

If one gets this pittance and not the CPP, one gets welfare; and if one does not get that, one might get a part-time job. It is the part-time and full-time job situations I want to look at, because a report put out by the board's actuarial services indicates percentage disability and employment status; it is the conclusion that really irks me.

On average, those who return to full-time work have a disability of 14 per cent and a wage loss of 13 per cent. Then there are the part-time employees, who I might say have had inadequate rehabilitation by the Workers' Compensation Board.

I am going to come back to that, but let me say that if there is a department that needs housecleaning it is the rehabilitation branch, which tells a person who has been out of work for two and a half years and who cannot speak English, "Go out and find yourself a job, find an employer who is prepared to train you, and we will sign you up to a program." It is absurd that we do that sort of thing.

Let me come back to this report. Of those employed part-time, the average disability is 17 per cent and the average wage loss is 57 per cent; and this government will not even build in an automatic escalator clause for them at this time in their lives.

Another figure concerns the unemployed. We took all those who were totally unemployed—there are 2,766 of them—and they have an average disability of 22.9 per cent. That is where we drew the line. We could write off 40 per cent of those willy-nilly and ignore them.

What is the conclusion of this report? Let me quote for the minister. "Table 2 shows that 40.1 per cent of the respondents stated that they were unemployed. Of these 2,766 unemployed, 1,943 (70 per cent) had a medical disability rating of less than or equal to 20 per cent in table 5" of those employed. "This may suggest that some of

the unemployed are in that state due to reasons other than their work-related injury."

What the report is saying is that they are lazy, malingerers or gold-diggers. This is from the board itself, from the actuarial services people. Nowhere does it say it is the board that sends out inadequately retrained persons who have not earned a dollar for two or three years, many of whom, as I said earlier, might have a language or education problem, telling them, "Find an employer who is prepared to take you and we will sponsor you in a program."

I have argued with the Workers' Compensation Board until I am blue in the face. One could not do worse if one tried. One could not have taken a more insensitive or more useless approach to rehabilitation if one tried. But the board worked at it, as it must have, because the confidence of these people in themselves is destroyed, they do not know whether there will be an income tomorrow, they are frightened silly and they are sent out on their own hook. If there is one place in Ontario that needs a housecleaning, it is the board.

We make all these changes—the former minister was trying to make them—yet nothing changes. In my riding office I have 240 active files at present. That is nuts. My colleague the member for Nickel Belt (Mr. Laughren) probably has as many.

The United Steelworkers of America employ at least one full-time representative. They have a full-time secretary and I know that in the past year they have had to bring in two extra people to do the work. The member for Sudbury (Mr. Gordon) has told me his office is just bonkers with the number of cases. I know the Sudbury Mine, Mill and Smelter Workers Union does the same thing, and the community legal clinic, with six or seven workers, is inundated.

We have become a safety net for the board. I think they do not care whether they catch them, because they know people will come to our offices and we will try to pick up the pieces. I have 240, and in the past 18 months we have won between 50 and 60 appeals with one staff person. There is something bloody well wrong with a system that treats workers like that.

The statistics I have given show that the ones who come to our offices are the long-term cases, the ones who need security. They are the ones to whom we are not prepared to give some guarantee of indexing today so that at least their minimum income is not eroded. We do not have the courage to do it. We are going to study it some more. My friends over here will vote with

the Liberals to make sure we study it some more. We can study it until hell freezes over and nothing is going to change, because we will study it some more.

These are the very people who need security and assurance. We do not have the—

**An hon. member:** Guts.

**Mr. Martel:** No, I cannot use that word.

**Mr. Brandt:** Intestinal fortitude.

**Mr. Martel:** We do not have the intestinal fortitude to support them. What is worse, we do not have the intestinal fortitude to go down there and clean that place out. After 18 years, I have had my fill. At first it used to be a kind of challenge to win these cases and help people. I thought it might change over the years. But it has not changed; it has gotten worse and I represent more.

Some of the various associations that represent workers—the community legal clinic, for example—have a maximum number for taking in cases. If they have 70 cases, for example, they cannot take any more. We members do not have that system. I tell this to my friends in the Liberal Party and to some of the Tories, who are new boys to the real world now. A member cannot hire an extra person when he gets more than 70 cases—it does not work that way for members—so he ends up with 240 cases.

One tries one's darnedest to represent them well, but one cannot; the volume is too great. There are 125 workers in the Sudbury office, and that is something the member for Nickel Belt and I have supported. But there is something wrong.

I have asked that Dr. Wolfson get out of Toronto, come to Sudbury and go through my files and those of my colleagues in Nickel Belt and Sudbury one at a time. We have asked him to go through the files of all the other agencies as well to find out just what in God's name is going on. What is happening that we members of the Legislature should find ourselves with 240, 250 or 260 cases of injured workers in this province?

**4 p.m.**

There is something wrong. I have my opinions about what it is. For starters, the majority are in that tough five to eight per cent. We do not even have the capacity to deal with that adequately. We do not attempt to rehabilitate adequately. We send people out willy-nilly. Imagine that. They are given a newspaper ad or a list of employers they may go to see and they are told, "Take this and run down the street and see the employer." The person has not worked for two and half years

and has a bad back. That is called rehabilitation in Ontario.

**Mr. Brandt:** That is all they do?

**Mr. Martel:** That is it. If a person can find an employer who wants to train him on the job, then the department will fill out a form and he can go to work for eight weeks. That is the worst thing that could be done. One would not even start with that. If I were doing it, I would send out a case worker with the employee. My friend shakes his head—

**Mr. Brandt:** The member is oversimplifying. He is complicating the issue.

**Mr. Martel:** I am not. The member should come back and see me in six months when he has had to do his own case work.

**Mr. Brandt:** I am doing it now and have been for four years.

**Mr. Martel:** If I believed that, he could sell me the bridge across to Detroit.

**Mr. Elgie:** You have already sold that once today. You offered it to me. You cannot sell it twice.

**Mr. Martel:** No. That was the Brooklyn bridge.

Workers in this group need indexing for two reasons: for financial and psychological reasons, to eliminate the fear with which they are confronted all the time. To have financial security, meagre as it might be, would be an improvement for these people.

I believe there is something else going on at the board that maybe even the minister has not been told. A letter was submitted last year by Mr. John Neal of actuarial services. They had meetings with 40 industry groups, which is the kind of representation the minister wants.

The letter reads: "Following our proposed 1984 assessment-rate meetings last year with over 40 industry groups, representatives covering most industries requested and were granted two meetings with the Minister of Labour and senior officials of both the Ministry of Labour and the board. Two of the results of these meetings were that the board agreed to phase in higher assessment rates over a longer period of time and to work with industry to establish a long-term strategy for funding the system.

"As a result, the board has been working with these industry representatives over the last nine months and has concluded"—I am giving only one of them—"that assessment rates should amortize the system's unfunded liability when calculated to include a full allowance for the cost



of inflation adjustment to benefit levels in future years over 30 years."

Let me quote one final sentence: "Having come to these conclusions with the benefit of industry's input, the board considered it more appropriate that we hold our annual meetings with the individual industries after the 1985 assessment rates have been set. This is scheduled to occur in early July 1984."

I would conclude from the letter that the board started its assessment of indexing last year for the 1985 assessment. Those were the conclusions it reached. I suspect industry is being assessed now on 1985 rates for indexing. If I am correct, I want to know why we do not have indexing in this province. Unless I misinterpret that letter totally, that assessment has begun as of the first of this year. If that assessment has begun, there is absolutely no reason we should not have indexing in this legislation, unless there is a little hook to it.

When he is answering, the minister might answer this question as well: Is it true the board has already spent 10 per cent of the 15 per cent assessment in the unfunded liability fund to cover Bill 101? There is a rumour that is why the minister does not want to introduce indexing; that it has overspent or underassessed, or whatever one wishes to call it, the cost of Bill 101 and therefore the minister cannot bring in indexing even though the assessment is probably going on now. The minister shakes his head. Is he saying they have not spent any of the money? He does not know.

**Hon. Mr. Wrye:** That is not the reason.

**Mr. Martel:** That is not the reason?

**The Deputy Speaker:** Order. Would the member please address the chair?

**Mr. Martel:** If that is not the reason, it is the only reason I could see, because if the letter by Neal is correct or if my interpretation and that of people I have shown the letter to is correct, the assessment is going on for indexing. If it is going on for indexing, the minister should be prepared to accept the amendment I will move once we go to committee of the whole House. If the money is being collected, there is absolutely no reason not to.

As I said earlier, I talked to labour and it wants it. They simply said, "Move it." I talked to injured workers' groups today and they said, "Move it." The minister says he wants it and funding is being collected. There is absolutely no reason we cannot put the principle of indexing in today, and that is what I will move when we get to committee of the whole House.

**Mr. Brandt:** I am pleased to have an opportunity to participate in this discussion on the amendments. It is a distinct honour to follow my friend the member for Sudbury East (Mr. Martel) in this debate and to add some views on the Workers' Compensation Board and some of the amendments being proposed.

As indicated by my colleague in his statement earlier, our party is prepared to support the proposed amendments and we congratulate the minister on a very quick response to a very complicated issue. I do not want to underplay that or in any way oversimplify the complexities involved in this whole question of workers' compensation benefits.

We are pleased to support the bill for other reasons as well. I would like to point out to the minister that the five per cent increase—this was not mentioned by the member for Sudbury East—does represent an improvement in benefits that is slightly above any of the normal kind of indices that might be used with respect to judging whether this is a fair and equitable increase. It is also somewhat interesting to note that the increases over the years have been very close to the consumer price index.

**Mr. Foulds:** If they are so close, why do we not make them right on?

**4:10 p.m.**

**Mr. Brandt:** I say to the member that I and my party have no difficulty whatever in subscribing to and supporting the whole concept of indexing. In fact, the previous minister was moving towards that goal and objective. He implemented a number of very substantial improvements that I am pleased to be able to say in this House were supported by the newly appointed minister. I think that speaks well for the former minister, Russell Ramsay, a very capable and competent colleague. I wish he was still here in this House to participate in this debate.

**Mr. Foulds:** Along with 20 others the member wishes he had.

**Mr. Martel:** That party would be only two short then.

**Mr. Brandt:** Some of us are still here to protect the rights of the citizens of Ontario in spite of some of the things members do over there. I want to address a few of those things in the few moments I have to respond to the minister's bill.

In the minister's statement, when he introduced the amendment, he indicated the government needs to be mindful of the potential impact of a benefit amendment on the future assessment-

rate policies of the Workers' Compensation Board.

During the course of the discussion of the member for Sudbury East, he indicated there was no further need for dialogue with the trade unions or the injured workers. Why do we not just go ahead with the program? As I already have indicated, we do support the concept of indexing.

However, there is another party out there that has not been discussed yet and that is the party which ultimately is going to have to pay the bill. Those people who have to pay the bill also should be consulted at some length about the levels of affordability with respect to any increases that may be agreed to by the members of this esteemed House.

At the present time, WCB benefits take about 1.5 per cent of the average payroll. I would like to make a positive suggestion to the minister that something in the order of perhaps two per cent might be the upper limit. I do not use that as a fixed number. There have to be increases, as the minister well knows, even if he did not bring in an increased or improved compensation package. I think he is aware of that.

The whole question of the unfunded liability remains a problem. It was a problem for the previous government and it will remain a problem for this government. In a responsible response to the whole question of workers' compensation, we have to look at a phased-in response over a period of time to the whole issue of unfunded liability. It cannot be done overnight; it cannot be done quickly.

I for one will not criticize the minister from this side of the House if he does not solve the problem immediately. But I do say to him I believe it is his responsibility and his prerogative within the parameters of his ministry to come in with a response as to how we are going to deal with that very fundamental question.

There is only one party in opposition that will talk about the issue of affordability, because the blank-cheque party over there cares little about that. Who pays for what is not one of its concerns. The very real issue is how to assist the injured workers of this province in a way we can afford. All we ask is that the government have a sensitive balance between what injured workers require and what this province can afford to pay with regard to the total impact.

**Mr. Martel:** The member only listens to what he wants to hear.

**Mr. Brandt:** No. I listened very carefully.

**The Deputy Speaker:** Order. Will the member please address his comments to the chair.

**Mr. Brandt:** I listened very carefully to the comments of my honourable colleague. I always learn from those comments.

It is interesting to note that when some of the speakers from other parties in this House have talked about a commitment to improving the compensation package to workers' compensation recipients, on occasion there has been a charge directed to our party in particular which I think is unfair and uncalled for, namely, that it is not responsive to the needs of injured workers.

That is totally incorrect. It was our party that introduced workers' compensation in Ontario in January 1915 during that very difficult period of the First World War from 1914 to 1918. The first year after that, this party introduced the first package of benefits to workers. It was unheard of in the rest of the country and a breakthrough for all of Canada. Since that time we have also amended workers' compensation in order to improve the benefits package and the kind of response that was needed.

I call members' attention to Bill 101, which was introduced by my former colleague Russell Ramsay. He talked at that time about a reconstituted corporate board with a majority of external part-time directors to make the board more responsive to the needs of the people of this province. He also talked about a new independent tripartite appeals tribunal with provision for independent medical assessors to assist the tribunal regarding medical issues in dispute. It is to that second point that I want to direct a few of my comments.

The fact is that all members of this House probably have an extremely high percentage of files in their constituency offices specifically directed to the problems of workers' compensation. I think there is general agreement among all 125 of us that this is one of the heaviest case loads on any subject matter that members have to address on a daily basis. One of the problems within all of those very large files that I deal with on a personal basis—

**Mr. Martel:** The member will find that out now that he is no longer a cabinet minister. How many times has he been before the board? How many appeals has he handled?

**Mr. Brandt:** I would say to the member for Sudbury East, I am able to solve many of them. My batting average might even be slightly higher than his.

One of the most serious concerns I have, which leads to the second suggestion I would like to make to the newly appointed Minister of Labour, is the issue of the response of the board



to the physician's report from the personal doctor of the recipient of workers' compensation. I am speaking of the situation where the personal physician of an individual undertakes to outline the physical, emotional and psychological problems of the individual in question. The board goes through a long process of reviewing that, bringing the individual in to be reviewed by the board's own doctors. Then the dispute starts, the lengthy cases begin and the file expands very rapidly.

I wonder whether the minister would undertake to look at that one, narrowly focused segment of the problem I am addressing to him, that is, the dispute that often arises between the personal physician and the board's physician with respect to the condition of the potential recipient of workers' benefits.

If that matter can be addressed and resolved, either by a tripartite appeals tribunal or by some other mechanism the minister might bring forward, it would reduce very substantially the number of cases the members of this House have to deal with. It would mean a tremendous reduction in the work load we have to go through and it certainly would be more responsive to the needs of the workers of this province.

I would like to commend the minister on how far he has gone with the amendments he has made to date. He probably knows a good thing when he sees it because he has incorporated many of the ideas the former minister, Russell Ramsay, brought forward in this House.

I want the minister to know that when the time comes for him to move on the question of indexing, this party will not obstruct those kinds of initiatives. This party will support responsible moves in that direction as long as the question of affordability is addressed as well. It is important for us to state our position very clearly and unequivocally before him during the debate on this bill.

**4:20 p.m.**

It is important to address those two issues: (1) what we can afford, and (2) the level of indexing and what we tie it to with respect to responding to the annual increases we feel are fair and equitable to the workers of this province.

There is much more one could say about workers' compensation, but in the light of the fact we are in general agreement with the amendments being brought forward, I would simply like to say we will be supporting the minister's initiatives and we hope he will take some of our comments into account in the days and weeks ahead.

**Mr. Lupusella:** I am pleased to rise to speak in relation to the contents of Bill 32. I am pleased but disappointed that although the present Minister of Labour has been involved for so many months and years in very constructive debate about reforms and issues affecting the Workers' Compensation Board and injured workers, Bill 32 does not really reflect the needs of injured workers in our society.

I remember when the standing committee on resources development was formed by the previous administration—and I am glad it is gone—the present Minister of Labour, being part of that committee, spoke so vehemently and adamantly about rights and principles of injured workers and also about regulations which are supposed to be changed in Ontario because the present system is inadequate and does not meet the conditions.

I remember very well when injured workers, or groups or organizations of them, approached the Liberal members sitting on that committee. Of course, their position, as was that of the previous administration, was, "I am extremely concerned and will fight on behalf of certain requests which have been made by injured workers for so many years." Those demands were similar to political fights which have been waged by this party on the floor of the Legislature. Amendments were moved and I am sure the present Minister of Labour had an opportunity to move others on clause-by-clause debates on Bill 101 on many occasions, fighting on behalf of injured workers across Ontario, even though his points and his concerns were not extremely similar to the positions taken by the New Democratic Party for so many years.

I am pleased to rise because I have an opportunity again to speak on behalf of injured workers across the province, but I am disappointed because I thought the present Minister of Labour had an opportunity to deliver more. Instead, what I am seeing with Bill 32 is only a meagre increase of five per cent and five plus three per cent for widows. Again, I do not want to repeat the rhetoric of speeches the present Minister of Labour made before that committee, or in front of organizations of injured workers, because it is a lost cause.

If he is trying to use the same approach used by the Conservatives all the time, the political rhetoric of being progressive during an election and regressive or conservative after it, I think the present Minister of Labour is going to pay the price for that. I think the price was paid by the previous Minister of Labour who today does not

sit in the Legislature. Injured workers across Ontario got so frustrated with the dealings and political moves of different ministers for so many years that the former government lost the election and the former minister lost his riding. The present minister is going to follow the same pattern if he does not change direction immediately.

Through the years in the Legislature and in the standing committee on resources development, the New Democratic Party has had an opportunity to fight for the abolition of the meat chart. The present Minister of Labour says he is sympathetic to the point of view that the meat chart is inadequate and there is need for a change. The meat chart is a reflection of something that does not take into consideration the disabilities of human beings; it takes into consideration the disabilities of animals in dealing with the different parts of the human body. If one loses a finger or a knee, one gets so much from the board; if a leg or arm is amputated, one gets so much.

The meat chart does not take into consideration the social needs of injured workers. It does not take into consideration family values and what an injury can cost a family. The present Minister of Labour, in his capacity as critic, had an opportunity to hear of cases of people killing themselves, of divorces and of children running around on the streets without an education because of the amount of money or small pensions families were receiving from the board.

During the committee hearings we had an opportunity—I believe the minister shares my views—to make a clear distinction about cases where there is no dispute regarding the injury or disability of the injured worker, such as the clear-cut case of an amputation. The meat chart does not take that into consideration in relation to the principle of the amount of money the injured worker receives from the board. The present minister had an opportunity to find out that the present meat chart is completely inadequate and must be changed.

The former Minister of Labour gave us a clear commitment that the clinical rating system in Ontario would be re-evaluated and changed. The previous minister was going to take into consideration guides to the re-evaluation of permanent impairment based on the American Medical Association. It took the position that it was time to change the way permanent disabilities are granted to injured workers in Ontario.

The previous Minister of Labour agreed the time had come when changes were required in

relation to the principle of the clinical rating system and I think the present Minister of Labour shared that concern. Bill 32 deals just with a meagre increase of five per cent, with an increase of five and three per cent for widows.

**4:30 p.m.**

I do not want to go into the political rhetoric of saying that Tories and Liberals are the same. The Tories are so proud that the present minister is falling in with the pattern of introducing yearly legislation to take into consideration an increase in injured workers, pensions across Ontario; they are so proud the minister is following the same pattern for dealing with injured workers.

In his statement, the new Minister of Labour also makes the point that indexation cannot be dealt with immediately because more study must be done on that issue. He says more contact must be made with the trade union movement and with industries in the province. I am sure he will do that with industry, in particular. Instead he should be saying we have heard enough over the years about problems affecting injured workers across Ontario. The Liberals now have an opportunity to run the show and to ensure the ministry sees the changes will take place.

The May 2 election was a clear indication from the voters of Ontario that the time had come to make changes. The minister has that opportunity now, yet he is trying to follow the same pattern used by the Tories for 42 years. I do not think he is going to do constructive things on behalf of injured workers in Ontario if he says in his ministerial statements that he needs more time.

I cannot see constructive change coming if he now is introducing Bill 32 just for the sake of expediency. The bill takes into consideration only the increase which has been regularly granted for the last 10 years. These increases have come because of political pressure and pressure from injured workers who demonstrated with dignity every year in front of Queen's Park. I hope the minister's new post will give him a podium to make sure these changes will take place immediately.

The government's white paper on reforming worker's compensation resulted from Professor Weiler spending many months studying the issue. The standing committee on resources development also had the opportunity to hear injured workers and industries that appeared before it. There is enough material now for the minister to make all the changes he wants and they should be in his platform.

As my colleague stated, he has this opportunity now. Delaying things for injured workers in



Ontario has gone on too long. He got the political message on May 2 and I am sure he is following this pattern only for political survival.

A few moments ago I heard the member for Sarnia (Mr. Brandt) raise an issue that affects industries. He mentioned the unfunded liability and all future increases which should take place for employers to meet the new reality of injured workers. My colleague from Sudbury East (Mr. Martel) read a letter and I quote:

"Following our proposed 1984 assessment-rate meetings last year with over 40 industry groups, representatives covering most industries requested and were granted two meetings with the Minister of Labour and senior officials of both the Ministry of Labour and the board." Their concern has been taken into consideration. I do not understand why the minister is planning to waste time during the summer studying the issue of indexation after those meetings and with that material before him to make a decision.

There is a problem in this ministry because it is run by the board and not by the minister. The member for Sudbury East stated in his opening remarks that it was time to clean up the board. We have been saying that for many years. There was no political courage coming from the Conservative Party to do that because all the people working for the board had been appointed by the Conservatives. They are all friends of the party which does not have any political will to make this change. The board has been running all the Ministers of Labour in the past administration and it is trying to follow the same pattern with the present Minister of Labour.

I was pleased last week to hear the new Premier (Mr. Peterson) making reference to the Attorney General (Mr. Scott) in relation to criticism that has been raised by members opposite belonging to that political party and saying he is in charge of that ministry. If we want justice to be done for injured workers in Ontario, the Minister of Labour has to show the same leadership and take the initiative to clean up the board and those political hacks who have been working for it for 42 years. There is no other way but to stamp out this political pattern immediately before the board takes over his ministry and he ends up doing what the Tories have been doing for so many years.

When we are talking about Conservative members and unfunded liability and the concern affecting industries in Ontario, I would like to remind the minister that industries in Ontario had a free ride for many years, at least six or seven. There were low assessment rates on their payroll

and when they got an increase of eight per cent a few years later, the assessment was decreased by five and six per cent. What kind of politics is that?

At the same time they do not want to become liable before the courts. They are also aware that changes must take place. We had industries appearing before the standing committee on resources development that shared this view. They are not against good changes. They know there is a new reality and they know the Tories have been dormant on the issue of WCB reform in Ontario since legislation was first enacted in 1914.

**4:40 p.m.**

The Tories always take pride in that move and it was good legislation. It was good in 1914 when the total labour force in Ontario was 3,000. It was a small board. Cases were not supposed to appear before civil courts because the board was dealing with injured workers' problems and the rate of accidents was almost nil or minimal.

When this province is faced with almost 400,000 people getting injured every year, it is a social, economic and work disaster. The government must act immediately to put an end to this problem affecting human lives, children and families. We cannot ignore this social problem. The Minister of Labour has an obligation to respond to the needs of injured workers across Ontario.

The minister will recall that on June 1 he had a ceremony outside this building to celebrate Injured Workers' Day. Why did he do that? To commemorate all the people who have passed away as a result of fatal accidents in Ontario. I was there and I had an opportunity to see representatives of the Conservative Party and the Liberal Party meeting with widows. We are talking about social and family tragedies that the government can no longer ignore. The Tories, of course, had the courage to defeat my private member's bill.

Injured workers deserve a monument in front of Queen's Park for the economic and social contribution they have made to this province for so many years. Naturally, we are all proud when we see buildings around this province and people building bridges and roads, but we never see the negative aspect of this economic boom taking place: how many people are dying and getting injured. We always ignore them. Even the legislation is ignoring them.

The Tories had the political courage to say: "We are dealing with dollars and cents. We recognize there is a social emergency involved,

we realize injured workers deserve more in Ontario, but who is going to pay?" They know the answer; I do not have to tell them who is supposed to pay the bill for injured workers in Ontario.

Injured workers gave up concrete rights and employers gave away their old rights when the Workers' Compensation Act was enacted in 1914 and, of course, the government is supposed to carry the costs.

I can talk for hours and hours about injured workers, but I feel offended by the present Minister of Labour, as I did by the previous one. When he says to the members of this Legislature that more study is required because the issue is complex, he is using political tactics to delay the pattern of changes affecting injured workers. Money is the main issue. He knows that; we all do. However, injured workers are supposed to live, and I cannot tell them in my own riding that because of money, they have to wait to get the five per cent increase.

The board is using political tactics to save money and give less to injured workers because of the lack of political capacity of previous Ministers of Labour to give more. We cannot tolerate this political harassment of injured workers any longer. We cannot afford it.

The present Minister of Labour tells us Bill 32 is fair. I remind him and his former critic, the member for Essex South, that last year when he moved an amendment to increase injured workers' pensions and benefits by 15 per cent, the New Democratic Party supported that amendment.

My colleague the member for Sudbury East (Mr. Martel) is going to propose a new amendment providing for the indexation of injured workers' pensions to the cost-of-living increase.

**Mr. Andrewes:** Very reasonable.

**Mr. Lupusella:** It is a very reasonable amendment. The Tories now, with great surprise, will be speaking about real problems affecting real people in Ontario. They had the opportunity to do so much in 42 years. They will be trying to blame the Liberals now, getting ready for the next provincial election, whenever it is going to be. They lost credibility a long time ago, 42 years ago; it was a dormant government ignoring injured workers and the poor people in Ontario. They do not even have a right to raise those issues any longer.

Who is going to believe them? The big corporations? The big industries?

**Mr. Andrewes:** Bay Street.

**Mr. Lupusella:** Bay Street, of course. But even Bay Street gave the Tories a nice gift on May 2. On May 2 they got a nice gift from Bay Street. I am sure they are going to lose more support in the years to come.

The Liberals might end up in the same boat if they are going to play political games by delaying things in this Legislature and telling people they are concerned. That was one of the major words used by a former Minister of Labour. He said, "I am concerned about everything in relation to injured workers."

**Mr. Andrewes:** Are you not concerned?

**Mr. Lupusella:** I am always concerned. Indexation is something that was requested by the NDP a long time ago. The automatic cost-of-living increase was dealt with by this Legislature when the former member for Downsview introduced his private member's bill. It was defeated by the government.

**Mr. Andrewes:** Where is the former member for Downsview?

**Mr. Lupusella:** He lost, but he will be back. Do not worry about it. He will be back pretty soon. He did not lose votes. His support increased from 1981. I have to hold the Tories responsible for his defeat because of the Tory collapse in his riding.

**Mr. Speaker:** Is that in this bill?

**Mr. Lupusella:** I am going to continue. I am sorry.

Let me go through the content of the ministerial statement. The second paragraph of page 1 reads:

"Today, I would like to describe in some detail the impact of the proposed measures on those who currently receive workers' compensation benefits. This year, the application of the proposed amendments is somewhat complex by virtue of the enactment of Bill 101 in the intervening period between successive annual benefit adjustments."

There is no relationship whatsoever between these increases and the increases of Bill 101. I have a copy of Bill 101. If the minister wants me to spend two or three hours explaining the content of Bill 101, I will go through it and we will see how complex his Bill 32 is in comparison to Bill 101.

**4:50 p.m.**

I want to alert the minister that the board is running his ministry and that he has to clean up the administration of the board, including replacing the chairman of the board, as soon as possible



if we want to see something very concrete done on behalf of injured workers in the province.

If the minister were extremely concerned about injured workers, he had an opportunity through Bill 32 to take into consideration the retroactivity clause of Bill 101 regarding surviving spouses. That is something that was shared by the Liberals when we were sitting on the same committee.

Before this bill is passed, the minister will have an opportunity to say that all the problems of injured workers will be taken into consideration and that he will do something in phase 2 of the Workers' Compensation Board reforms and in phases 3 and 4. That is what we are going to hear from the Minister of Labour in the years to come. From the Tories we heard about phases 1 and 2. I am sure the present minister is going to use phases 3 and 4 to reform the compensation system for injured workers in Ontario.

I am happy to rise and speak on behalf of injured workers, but I am extremely disappointed with the Minister of Labour's performance. I met him when he was sitting on the same committee as me. I thought he had a genuine concern for injured workers across the province. I do not want to be completely disillusioned; I hope he will do something about it.

**Mr. Barlow:** I want to congratulate the minister, not only for bringing in this bill and this set of amendments but also for his appointment to the very important position he now holds in the government of this province. We have been through a lot together in the early days in reviewing the amendments to the Workers' Compensation Act; that is, the white paper and the Weiler report—

**Mr. Wildman:** Are you supporting the Liberal government on this?

**Mr. Barlow:** I am going to support certain parts of this act, yes; not the government, but the act and the amendment.

Through about three years, while we were dealing with the white paper and subsequently Bill 101, we dealt with many points that were introduced in Bill 101. We dealt extensively with indexation, for example.

A lot has been said today about whether indexing should form part of the act. The proposal in the white paper referred to annual adjustments for inflation and said such adjustments would follow a public report by the compensation board and would be made by regulation. That proposal, number 8 in the white paper, was passed.

There were two dissenting reports, one of which was from the New Democratic Party. The NDP wanted indexing tied to the consumer price index and updated every quarter-year. The other dissenting report, from the Liberal Party, suggested it should be tied to the average industrial wage.

The amendments brought forward in this bill exceed either of those indexes. I think for the average industrial wage it was slightly above four per cent. Inflation last year was around the four per cent mark; I believe it was 3.9 per cent. It is down from that this year. There is no argument from this side of the House about increasing pensions at this time by the five percentage points that are recommended. The minister is going to have our support.

I want to address a couple of other things. The minister's statement of last Friday, July 5, has a sentence about affordability: "At the same time, the government needs to be mindful of the potential impact of a benefit amendment on the future assessment-rate policies of the Workers' Compensation Board."

I wish to make a few comments on affordability, which is something we on this side are mindful of because the employers of this province are the people who ultimately pay the bill. We are mindful and concerned. We do not feel our friends to the left have a corner on sensitivity to injured workers; we do too.

**Mr. Wildman:** Come over and share the corner with us.

**Mr. Barlow:** It is a wide corner. We have a very real concern. My friend the member for Sarnia (Mr. Brandt) pointed out earlier this afternoon that all of us in this House share a major factor in that one of the largest work loads in our offices is dealing with workers' compensation. We are continually on the phone to the board, as are our riding assistants, trying to get clarification and speedier settlement of claims.

**Mr. Wildman:** Why did you not force Lincoln Alexander to do something about it?

**Mr. Barlow:** I have written to him on many occasions. He concurs with me from time to time that there are problems there. They have to be addressed. The fact remains that they have to be paid for.

Out of the Bill 101 hearings was born an organization known as the Employers' Council on Workers' Compensation. It is an organization concerned about the protection of jobs. I was concerned that if we were to adopt many of the recommendations that came before the standing committee on resources development, it would

be totally impossible for many employers to carry on and that would mean layoffs of employees.

I believe the employers' council is made up of some 20 or 22 employers' associations or groups that share the same concerns. They are the employers of injured workers. They do not want to see workers injured on the job. It does not help them to produce their products or deliver the services they are involved in if they have people off work. They want to see a safe work place the same as do the rest of the members of this House.

We all know the way to cut down on accidents and their cost is by creating a safer work place for the employee as well as the employer. It is a joint responsibility. I do not think anybody would question that.

**5 p.m.**

Many of the proposals in the white paper have already been addressed in Bill 101, where they had support in varying degrees from all parties in the House. The ceiling earnings have been increased fairly substantially to \$31,500. We are now at 90 per cent of net as opposed to 25 per cent of gross. There is the annual review I spoke of earlier. Most other speakers have spoken about the review or indexation, if one wishes to call it that.

The one-day waiting period for benefits should be eliminated and was eliminated. WCB coverage should be extended to domestics and it was. An independent, tripartite appeals tribunal should be established and it was. A new system for independent medical review panels should be established and it was. A new corporate board with outside directors should be established and that also happened.

The office of the worker adviser should be expanded and made independent of the board. That is in the process of happening. As I recall, an employers' advisory body was opposed by both the then opposition parties. That was established, however, and is needed for the small employer. The minister has alluded to the experience rating as something that will come up in the next set of amendments as he reviews and prepares for phase 2 of the Workers' Compensation Act.

Those are some of the points discussed by those of us who sat on the resources development committee over the last two or three years. I commend the minister for bringing in these amendments. I think he has shown sensitivity towards those we serve in this House in relation to the Workers' Compensation Board and injured workers. He has also addressed the affordability

question. The two go hand in hand. We cannot have one without the other.

I look forward to taking part in the clause-by-clause discussion as we go through committee of the whole.

**Mr. Laughren:** I am pleased to engage in this debate which will boost benefits to injured workers and provide a three per cent catchup for dependants prior to April 1.

I must say the minister is truly amazing in his reincarnation as a minister, as opposed to a critic. As a critic, he was very good on workers' compensation matters. I served for a long time with him and with the previous speaker, the member for Cambridge, on the resources development committee when it was dealing with workers' compensation problems. It has become a cliché now to say that power corrupts and absolute power is even better. I guess that is what has happened to the minister.

If there were two members of the Liberal opposition who were strong on supporting improvements to workers' compensation, they were the present minister and the member for Kitchener-Wilmot (Mr. Sweeney). Both were invariably supportive in dealing with workers' compensation problems. I can remember mentioning to injured workers' groups that we had allies in those two members on the resources development committee; so it is disappointing to see their change in attitude.

I would ask the minister a very simple question: Why not indexing? If indexing is more expensive, that indicates workers are being shortchanged when we do not index. If it is not more expensive, why not do it? I do not think it is a complicated question.

As to the references by the member for Sarnia (Mr. Brandt) and the member for Cambridge that New Democrats would not talk to the employer groups and that we were not the only ones who had a corner on the market of concern for injured workers, that is a lot of nonsense. There is no reason the present minister should not have come in in his new role as minister and immediately put his stamp on workers' compensation legislation.

I cannot think of anything that would have sent out a signal faster to the Workers' Compensation Board and to the Employers' Council on Workers' Compensation that we are into a new era in dealing with workers' compensation. Instead of that, the minister brings in a bill that could have been introduced by the previous Minister of Labour. Indeed, the previous Minister of Labour and others in the Tory party have been commending the minister. Who does the



government have the accord with? The accord is with us, not with them.

May I suggest that the minister start rethinking his attitude about workers' compensation legislation. If he is going to send out the kind of signals that I think are necessary, he has to do it now. A year from now will be too late. The bureaucracy and the employers' council will have him where it hurts a year from now. He simply has to say now: "This is a new era. These are things that are going to be done differently" with him as the minister. I really find unacceptable what the minister has done.

If I had not spent so much time on the committee with him, it probably would not bother me so much and I would not in a sense feel betrayed by the minister. I think he understands that there is only one acceptable control on costs of injured workers: that is to reduce the incidence of accidents on the job. One does not need to be overly sympathetic to injured workers to understand that, to come to that conclusion.

That is the only acceptable way because the other way penalizes injured workers. I do not think the minister wants to do that. I think he understands that is not appropriate. One does not impose double jeopardy on workers by saying, "Not only are you injured, now we are going to stick it to you financially as well." That certainly is not the way we want to behave in this assembly.

Some day the minister will come to the realization that all of this so-called reform and tampering with the Workers' Compensation Board will lead us nowhere. He can make these ad hoc increases from year to year, he even could bring in indexing; but in the end the only thing that will ever bring justice to injured workers will be to abolish the Workers' Compensation Board and put in its place a comprehensive social insurance system that will compensate workers and anybody regardless of whether he is injured and regardless of fault.

**Hon. Mr. Wrye:** I thank my friends opposite, in particular those in the third party, for the advice they have offered so generously to me. At this time I am not prepared to indicate that we will be accepting the amendments which I anticipate will be offered in the debate in the next short while.

As I go through I may repeat myself, but there were some comments which overlapped, those from my friends in the third party in particular. My friend the member for Nickel Belt offered advice in the starkest terms. Why not indexing, he asked. As I indicated in my statement, and I

want to reiterate, this minister thinks it would be useful to have a short period of discussion with a number of groups—the business community, the trade union movement, injured workers' groups, my friends in the third party and my friends in the official opposition—to canvass quickly their views on indexation and what form indexation should take.

I am well aware that the third party in its amendment today will be absolutely consistent with the dissenting report to the report of the standing committee on resources development on the white paper. My friend the member for Nickel Belt knows what we have said in our dissenting report. He will be aware that the average industrial wage now has two potential components: the industrial composite and the industrial aggregate, one having lesser application than the other. If one indexes with one or the other, the amount of indexation will change. The second component extends to some employers with 20 workers or fewer, but it is a fairly recent component.

**5:10 p.m.**

I want to take a look at that and I want to canvass some views as to whether that would be the proper way to go. Unlike my friends opposite, I am still inclined to go to the average industrial wage. It is a view that the member for Nickel Belt, in particular, and other members who were on the standing committee on resources development will know I have held for some time. I can only promise my friends opposite that we will be moving expeditiously on this matter. We do not need a royal commission, a task force or any other such thing for this matter to be dealt with; I intend to deal with it quickly.

To the member for Dovercourt (Mr. Lupusella), who asked about the meat chart, I say the phase 2 discussions are still ongoing. I intend to meet Professor Weiler later this month and find out how his discussions are going, particularly in terms of the meat chart. I think the member raised the American Medical Association model.

I am advised that, before the year is out, even while we continue with the clinical rating schedule, this schedule, which is now under preparation, is going to be sent not only to Professor Weiler, but also to Professor Burton of Cornell University, who is apparently quite an eminent individual in the field. The new schedule takes into account the AMA's rating schedule; so there is some progress on that.

Both the member for Dovercourt and the member for Sudbury East (Mr. Martel) raised the issue of the fact that the assessment is already tied

to indexation. I am advised that the board did calculate the assessments, taking into account both new claims and the unfunded liability. However, last year that assessment was not applied. The assessment increases were restricted from those that were recommended. I am sure the member for Sudbury East will remember that.

There have been discussions with employers leading towards an understanding and, I hope, a full agreement to increase the assessment rates to take into account a fully indexed act. Retiring the unfunded liability will also proceed in the next period of time. The member is correct that there were proposals from the board. Those proposals, to put it generously, were diluted; so the assessment increase did not take into account fully the proposals he has read in Mr. Neal's comments.

I will comment very briefly on the remarks of the member for Sarnia, who asked about the problems with doctors. It is certainly my view that the new panels of medical assessors, which we are going to be creating, along with the tripartite review board, will, it is hoped, begin to deal with what the member rightly points out is one of the very many problems that add to and aggravate WCB matters. I am hopeful the independent medical assessors, when they are asked by the new review panels to take a look at the medical evidence on which the appeal either stands or falls, will be able to do so in a way that is perceived to be much more independent than in the past.

The member for Sudbury East had a number of things to say in his usual gentle way. At the outset, I want to say to him and to his colleague the member for Nickel Belt that I will do a little something to show the good faith this minister has. I have already indicated to Mr. Cain from the board—and I intend to take further action—that we are prepared to sit down with the member for Sudbury East, the member for Sudbury (Mr. Gordon), the member for Nickel Belt, the legal clinic, the Mine, Mill group and the United Steelworkers to see if we can start to get a handle on the problem which plagues all those members in terms of injured workers and the work volume they have in Sudbury.

I think Sudbury would be an interesting and fascinating test case. I am prepared to make that commitment to those members this afternoon that we will sit down with them in the not-too-distant future. We want to get a handle on the volume and on the specific areas, or one repeating area. I am prepared to indicate that to

the two members interested and to the Labour critic for the Progressive Conservative Party. I am sure he will pass on to the member for Sudbury that we want to include him in that overall survey so that we can begin to get a handle on what it is that is so aggravating relations all over the province, though I think the problems seem to be particularly acute in Sudbury.

In a sense, the member for Sudbury East wants to have it both ways. He is prepared to accept this bill. He will take the five per cent, he will take the three per cent add-on and then he will instantly want to index. I thought my friend would have wanted to index over the last year. I could offer him the consumer-price-index rate of 3.8 per cent, but he would rather take the five per cent.

I want to indicate to my friend that this is part of the problem. In the last 12 months the CPI went up by 3.8 per cent, the industrial composite of the average industrial wage went up by 4.3 per cent and the industrial aggregate of the AIW went up by 4.4 per cent. Since 1975, the ad hoc increases have been slightly above the CPI. In terms of the AIW, the ad hoc increases have fallen some 3.5 per cent behind the CPI.

**Mr. Martel:** I will take the 10 per cent the minister moved last year.

**Hon. Mr. Wrye:** I am going to repeat once more for the member for Sudbury East that we are going to move quickly. One of the reasons we want to move quickly on this item is that the board wishes to pull all of the numbers into a January 1 date. We would want to be ready for that. That is because, as the members know, the change in the tax tables under the new scheme has greater emphasis and greater importance than ever before.

The board would like to have an AIW or a CPI, or a combination of both, indexed for January 1, if at all possible. I see no reason that this timetable should not be possible, particularly after hearing the generous support of the third party and the belated change in its views that the Progressive Conservative Party has had.

I want to close by assuring the House once again that we intend to move quickly on this matter. However, the view of the government is that a short consultation—maybe perhaps just picking up the phone—with all groups not only on indexation but on the frequency and the form of indexation would set an appropriate tone to follow through on our program as quickly as possible. If that is not the view of some in this Legislature, or of one party, as to how the government can properly proceed, then I can



only indicate that we, in this instance, would not share that view. We believe a brief period of consultation is more than warranted and we would hope to be able to do so.

Motion agreed to.

**5:20 p.m.**

Bill ordered for committee of the whole House.

House in committee of the whole.

#### WORKERS' COMPENSATION AMENDMENT ACT

Consideration of Bill 32, An Act to amend the Workers' Compensation Act.

On section 1:

**Mr. Chairman:** Mr. Martel moves, seconded by Mr. McClellan, that the bill be amended by adding thereto the following section:

"1(1) Beginning January 1, 1986, all benefits, including the amounts payable under section 36, the maximum amount of average earnings under section 41, the minimum amounts payable under section 42 and the maximum amount of an allowance under subsection 52(3) shall be increased on the first day of the months of January, April, July and October in each year in accordance with any increase in the consumer price index during the quarter preceding that just ended. If there has been no increase in the consumer price index in that period, the amounts shall remain unchanged.

"(2) All benefits payable under part III of this act shall be indexed as provided for in subsection 1, beginning January 1, 1986."

**Mr. Martel:** That is the date when the minister said he was prepared to do it. I am flexible too.

There are a few words I want to say arising out of this motion. If we want to reduce the amount of compensation in this province and anywhere in our society, then surely the reduction should not come from injured workers but in reducing the number of accidents. In our society, we do not reduce accidents. The very people who want to maintain the status quo in the amount of money paid out are the employers.

It is too bad the member for Sarnia (Mr. Brandt) is not here because I did a report a number of years ago called Not Yet Healthy, Not Yet Safe. The people who do not want occupational health in this province are the employers—those people who violate the law. The bill came in 1978 yet there still are employers who do not have an occupational health and safety committee in their operation.

If one wants to reduce assessments, this is where it is done. The minister should really be worried when two former cabinet ministers get up and congratulate him on his bill. They are the ones who are supporting him and saying it is a great bill.

Today we recognize fewer than one in 30 industrial diseases causing death from cancer. That is the figure Paul Weiler used. The medical people tell us the number is far greater. We want to hold it.

The minister and the member for Sarnia, who was not here, said I was not concerned about interviewing the group who paid the bill. I quoted a letter showing that meetings were held with industry last year. Forty industrial groups had at least two meetings with the board on which assessments were made, so when my friend, the member for Sarnia, gets up to support industry, I tell him they already have had their input. Our experience has been that they have plenty of input.

My friends in the labour field do not want any more input. They just think it is time for some action. It is what the minister said himself. I do not know why he plays these games, when he has said the following: "I would urge the minister to go back to his colleagues and make this the last year of what I call a charade." That was 1984. That was the now minister saying we did not need any more study, interviews, or consultation; what we needed was action. What has happened in the 13 intervening months?

**Mr. Eakins:** Things have improved.

**Mr. Martel:** If they have, then it should be easier to pass the bill because the cost would not be as high. We cannot go to the injured workers' group because they do not want any more input. They want the bill passed, as the minister, the member for Essex South (Mr. Mancini) and Sheila Copps said in their press release. Let me remind the members of that:

"Injured workers will continue to have to come cap in hand to the minister annually to plead for adequate increases. Rather than instituting the unbiased system of determining income based on actual economic conditions, the decision continues to be made at the partisan political level." That is precisely what is being done. It is not being changed one jot.

To show how flexible I am, I was prepared to move to the date the minister suggested. I hope everyone will have the opportunity to look at it and give him some input, but the date and the actual fact is there and the government should be

prepared to accept the amendment at this time so we can get on with other business.

**Mr. Wildman:** It is a friendly amendment.

**Mr. Martel:** However, the Minister of Community and Social Services (Mr. Sweeney), the member for Essex South who supported that communiqué I quoted, written by the member and Sheila and the minister, have taken that position on workers for years.

Now, to be flexible, we have changed the date from October to January. I hope the minister is now prepared to accept the amendment. We can have the vote and go home and have dinner. I would like to have the minister's response.

**5:30 p.m.**

**Mr. Lupusella:** I would like to spend a few minutes on this issue. I think my colleague has been extremely reasonable in complying with the concern raised by the minister and I do not see any reason why he cannot support the principle of the amendment, after so many other members of his own party have done so. We cannot play politics on this issue. I would like to draw to the minister's attention that he cannot allow the board to run the show in his own ministry.

He gave us a commitment that indexing will be introduced in the Legislature in the near future. He wants an opportunity to speak to injured workers across Ontario. He wants to speak to interested groups. Considering that Professor Weiler actually denied so many injured workers the opportunity to speak to him, I do not know; I think he means to industries, to injured workers and to the trade union movement.

He knows where the trade union movement stands on this issue. He should take a look at the public representations made by the trade union movement to the standing committee on resources development over the past year or two, whenever the committee studied the government white paper and Professor Weiler's report.

I do not understand the rationale used by the minister as to why he wants to talk to Professor Weiler. He wrote the first report, he wrote the second report and he said what he was supposed to say in his own report after contacting industries and interested parties. Why does the minister want to talk to him?

The problem is that the actuarial position of the board prevails over any position taken by the ministry. The issue of indexing makes sense for injured workers across Ontario. Let me give a concrete example.

Let us say an injured worker who is currently receiving a partial permanent disability award passes away. Because within the principle of the

present act there is no enactment to index the pension, that pension ends. The pension is not transferred to the surviving spouse, which means the board saves money.

If we take into consideration the reasonable amendment moved by the New Democratic Party, the injured worker, if still living, at least would have an opportunity to catch up with the increase because it is incorporated in the principle of the law.

The problem is that the whim of the government has prevailed through the years on introducing this legislation, and even though it is now retroactive to July 1, 1984, as I understand it, if an injured worker has passed away during that period his or her pension ceases and there is no increase whatever. However, if this particular amendment is passed by the Legislature, the injured worker is going to have an opportunity to receive the increase.

We cannot deal with injured workers' reform in isolation, because there are so many ramifications to the principle of the bill and the principle of a particular item of the bill that will affect injured workers across Ontario.

The minister might make more inquiries of representatives of the board. I know that for many years the philosophical approach that has prevailed has been to save money at the expense of injured workers across Ontario. If the minister wants to follow that political pattern, I tell him he will pay the price some day. I hope he will be able to accept this reasonable amendment today.

**Mr. Elgie:** Although we will be supporting the bill, I want to make it clear that we take the minister at his word, on the assumption that this issue of regular increases of pensions to injured workers and the survivors is a matter that will be dealt with in phase 2 of the committee. We accept that.

I do not think anyone should be under the misconception that this party and its representatives on previous committees have not indicated a sincere interest in having some process that allows for a regular and annual increase in the level of benefits based on some process. For example, in the committee that the member has talked about—

**Mr. Wildman:** Why did your party never do that?

**Mr. Elgie:** Well, it sounds so simple. My friend proposed the consumer price index, while his colleague the member for Dovercourt (Mr. Lupusella) on June 21, 1984, suggested the average industrial wage.



**Mr. Martel:** No, he did not.

**Mr. Elgie:** I have the date here. If the member does not believe me, he can check it out.

There is not total agreement on this, and the member knows it. He knows Professor Weiler in his report suggested one index for current pensions and another index for long-term pensions. If one wanted to look to other examples, one might look to Manitoba. They have introduced the wage loss system, where they increase benefits in response to any advice received from the employer of an increase in wages paid at the relevant place of employment.

Those provinces that do have some process in place do it in many different ways. This party is prepared to accept that it is a matter that should be considered during phase 2 of the reform of the Workers' Compensation Board. In the meantime, we feel those considerations should await that process.

**Mr. Wildman:** I will not prolong the debate. I just want to express some concerns over the approach that seems to be taken by the Minister of Labour (Mr. Wrye) with regard to the amendment proposed by my colleague the member for Sudbury East (Mr. Martel).

It is ironic that after what has happened in Ottawa, we are debating today a question of indexing, especially after what the present minister's colleagues in Ottawa did, along with the senior citizens of this country in fighting for indexation. To have the minister say in this House that while he is in favour of the principle, he wants to have time for input and that is the reason he is not in favour of moving such a change now, is to ignore the fact that the member for Sudbury East has changed the date to give plenty of time for input.

As my colleagues have indicated, we do not believe there is a need for input at this time. It has been shown not only here in Ontario but also right across the country that the principle of indexation, certainly as it relates to old age pensions, is one that is supported by the vast majority of Canadians to the point where the government in Ottawa, with a very large majority, had to back off from an attempt to de-index. It seems to us that here is an opportunity for this minority government to respond to what is a majority position in this country and in this province with regard to income maintenance of this kind.

It is most unfortunate that what appears to be happening is that a party which in opposition tended to be and argued that it was progressive may be losing some of that progressivity when it

gets into power. I hope that is not the case. I hope the minister will accept this as a friendly amendment and show that he is indeed progressive and represents a progressive government. If he is unwilling to accept what is a friendly amendment, I am afraid we and the people of Ontario will have to conclude that Liberals may sound like social democrats at times when in opposition, but when they get into power they sound more and more like Conservatives.

**5:40 p.m.**

**Hon. Mr. Wrye:** I will not prolong this debate. I want to remind my friend the member for Sudbury East that it seems to me that the comments that were made last year do not reflect asking the previous government to get on with the job. They would have had 13 months to get on with it and have their consultations if they had been still over here. We have had, and I know the member for Sudbury East will understand this, so far a grand total of 12 days.

It would be useful if the members opposite would give this minister a short time to talk to the groups and perhaps we could think out the bill a little more carefully than the amendment is thought out.

By changing the date to January 1, 1986, we have not affected in any way, shape or form those changes in the consumer price index that will take place from July 1 to September 30. That is what happens when one moves too quickly. I say in a friendly way to the member for Sudbury East that he has disfranchised, perhaps deindexed, the injured workers of this province for a three-month period. I had hoped my friend would be reasonable with us and allow for a brief period of consultation and discussion.

We cannot accept the amendment. We will not support it. I am sure my friend has a lot of material from my earlier remarks today that he can save up to see whether this government follows what it has promised in moving forward with indexation in the next brief period. That is the intention of this government, which favours the principle of indexation but which wishes to have a brief period of discussion with all parties.

I am surprised that my friend the member for Sudbury East could have canvassed the entire labour movement today. The entire labour movement did not speak with a unified voice about the form indexation should take. That is what the issue is about: not whether there should be indexation, but about what form it should take. I could not possibly have canvassed as many views as my friend has in only 24 hours.

This bill alleviates some of the concerns I have had for injured workers and allows us to proceed in a forthright way to address the members' concerns.

**5:50 p.m.**

The committee divided on Mr. Martel's amendment to section 1, which was negatived on the following vote:

Ayes 25; nays 76.

Section 1 agreed to.

**Hon. Mr. Wrye:** Very briefly, I want to inform the House that there are three minor changes under the explanatory notes.

In section 2, the last line should read "occurred on or after April 1, 1985." Section 3 in the second line should read "permanent disability," not

"permanent total disability," to refer to all permanent disabilities, partial or total. In section 5, in line 3 the word "total" should be removed, leaving it as "workers who were receiving temporary disability benefits," which may be both total or partial."

**Mr. Chairman:** That is part of the explanatory notes and not really part of the bill.

Sections 2 to 12, inclusive, agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Nixon, the committee of the whole House reported one bill without amendment.

The House adjourned at 5:58 p.m.

### ERRATA

No.	Page	Column	Line	Should read:
12	422	1	15	and deals with the Dangerous Goods Transportation Act. The act has been discussed several times in the past 10 years and is finally being brought to light.
13	460	1	24	DANGEROUS GOODS TRANSPORTATION
13	460	1	28	training related to the Dangerous Goods Transportation Act. I am able to respond to that question today.



## CONTENTS

Monday, July 8, 1985

## Statements by the ministry

Fulton, Hon. E., Minister of Transportation and Communications:

**Telephone rates** ..... 533

O'Neil, Hon. H. P., Minister of Industry, Trade and Technology:

**Automotive industry** ..... 533

## Oral questions

Bradley, Hon. J. J., Minister of the Environment:

**Acid rain**, Mr. Rae, Mr. Brandt, Mr. Martel ..... 538**Tower location**, Mr. Brandt, Mrs. Grier ..... 541

Curling, Hon. A., Minister of Housing:

**Rent review**, Mr. F. S. Miller, Mr. McClellan, Mr. Gordon ..... 536

Elston, Hon. M. J., Minister of Health:

**Extra billing**, Mr. Grossman, Mr. D. S. Cooke ..... 539

Fulton, Hon. E., Minister of Transportation and Communications:

**Telephone rates**, Mr. Swart ..... 544

Kwinter, Hon. M., Minister of Consumer and Commercial Relations:

**Censorship**, Mr. F. S. Miller, Mrs. Marland ..... 537**South African wines**, Mr. Warner ..... 543**Censorship**, Mr. F. S. Miller ..... 543**Censorship**, Mrs. Marland, Mr. Grossman ..... 544

Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:

**Job creation, skills training**, Mr. Gillies, Mr. Warner ..... 542

Riddell, Hon. J. K., Minister of Agriculture and Food:

**Agricultural funding**, Mr. Ramsay, Mr. Sheppard ..... 540

Scott, Hon. I. G., Attorney General:

**Equal pay for work of equal value**, Mr. Rae, Mr. Timbrell ..... 537**Police activities**, Ms. Gigantes, Mr. D. S. Cooke ..... 541**Equal pay for work of equal value**, Mr. Elgie ..... 545

Sweeney, Hon. J., Minister of Community and Social Services:

**Sheltered workshops**, Mr. Allen ..... 545

## Petitions

**Roman Catholic secondary schools**, Mr. Jackson, tabled ..... 546**Midwifery**, Mr. Morin-Strom, tabled ..... 546

## Motion

**Committee sittings**, Mr. Nixon, agreed to ..... 546

**Second reading**

<b>Workers' Compensation Amendment Act</b> , Bill 32, Mr. Wrye, Mr. Elgie, Mr. Martel, Mr. Brandt, Mr. Lupusella, Mr. Barlow, Mr. Laughren, agreed to . . . . .	546
--	-----

**Committee of the whole House**

<b>Workers' Compensation Amendment Act</b> , Bill 32, Mr. Wrye, Mr. Martel, Mr. Lupusella, Mr. Elgie, Mr. Wildman, reported . . . . .	563
--	-----

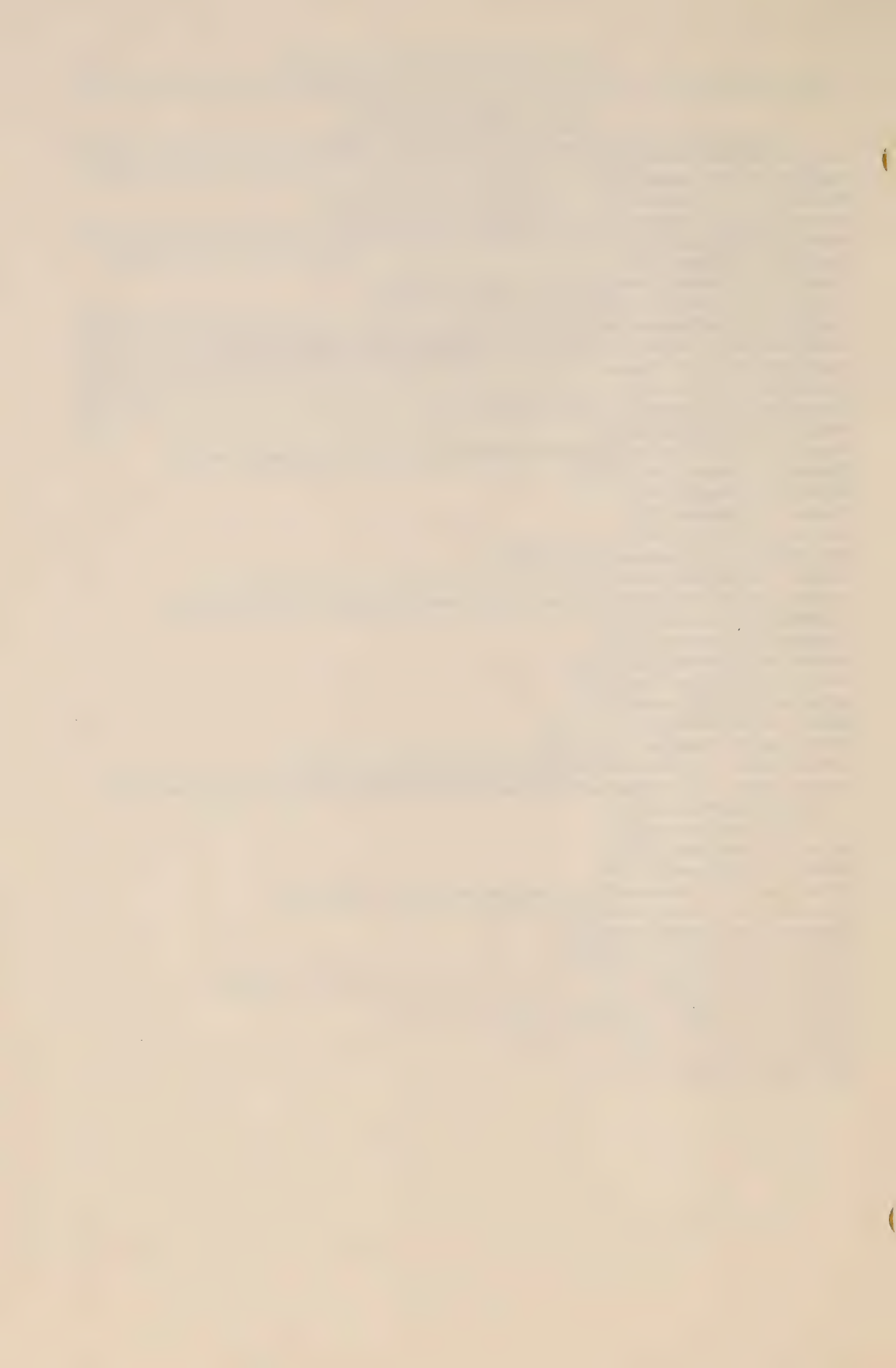
**Other business**

<b>Version en français</b> , M. Pouliot . . . . .	533
<b>Access to information</b> , Mr. Grossman, Mr. Speaker . . . . .	535
<b>Notices of dissatisfaction</b> , Ms. Gigantes, Mr. Warner . . . . .	546
<b>Adjournment</b> . . . . .	566
<b>Errata</b> . . . . .	566



**SPEAKERS IN THIS ISSUE**

Allen, R. (Hamilton West NDP)  
Andrewes, P. W. (Lincoln PC)  
Barlow, W. W. (Cambridge PC)  
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
Brandt, A. S. (Sarnia PC)  
Breaugh, M. J. (Oshawa NDP)  
Cooke, D. S. (Windsor-Riverside NDP)  
Curling, Hon. A., Minister of Housing (Scarborough North L)  
Davis, W. C. (Scarborough Centre PC)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Elgie, R. G. (York East PC)  
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
Foulds, J. F. (Port Arthur NDP)  
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)  
Gigantes, E. (Ottawa Centre NDP)  
Gillies, P. A. (Brantford PC)  
Gordon, J. K. (Sudbury PC)  
Grier, R. A. (Lakeshore NDP)  
Grossman, L. S. (St. Andrew-St. Patrick PC)  
Jackson, C. (Burlington South PC)  
Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)  
Laughren, F. (Nickel Belt NDP)  
Lupusella, A. (Dovercourt NDP)  
Marland, M. (Mississauga South PC)  
Martel, E. W. (Sudbury East NDP)  
McClellan, R. A. (Bellwoods NDP)  
Miller, F. S. (Muskoka PC)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)  
Pouliot, G. (Lake Nipigon NDP)  
Rae, R. K. (York South NDP)  
Ramsay, D. (Timiskaming NDP)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Scott, Hon. I. G., Attorney General (St. David L)  
Sheppard, H. N. (Northumberland PC)  
Swart, M. L. (Welland-Thorold NDP)  
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)  
Timbrell, D. R. (Don Mills PC)  
Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wildman, B. (Algoma NDP)  
Wrye, W. M. (Windsor-Sandwich L)







# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Tuesday, July 9, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, July 9, 1985

The House met at 2 p.m.

Prayers.

## ACCESS TO INFORMATION

**Mr. Speaker:** I would like to remind the members of the House that yesterday the member for St. Andrew-St. Patrick (Mr. Grossman) asked me to rule as to whether the Premier (Mr. Peterson) was in breach of standing order 26(a) in making a statement to the media after having declined to make a statement to the House on the same subject.

Standing order 26(a) says, "Statements may be made by ministers relating to government policy, ministry action and other similar matters of which the House should be informed." It says nothing about the minister informing the House first, and an examination of the precedents indicates that previous Speakers have ruled on several occasions that, while it is a courtesy for a minister to inform the House before making a statement outside the House, it is not a breach of privilege or of the rules of the assembly if he does not do so.

I refer especially to the last paragraph of a ruling by Mr. Speaker Turner on May 9, 1983, on page 39 of the Journals of the House of that year: "Finally, the member for Renfrew North, joined by the member for Riverdale and the member for Essex South, claimed that it was a breach of parliamentary privilege for the minister to have spoken to the press about the alleged disclosure of information relating to the budget before first making a statement to the House. As I stated in my ruling of February 1, 1983,...although it is a courtesy to the assembly for a minister to release information in the assembly before releasing it to the press or the public, it is not a breach of the privilege or rules of the assembly if this does not happen."

It should be noted that similar rulings have been made by other jurisdictions, most notably the House of Commons of Canada.

**Mr. Timbrell:** On a point of order, Mr. Speaker: Last Thursday, when the Minister of Education (Mr. Conway) tabled Bill 30, all members of the House, this critic included, were provided with a red folder containing the

minister's statement, a press release and certain other pieces of information, including the bill.

If that was intended to be the compendium, and I understand as of yesterday that is all we are going to get, the minister failed to provide us with copies of all of the drafts he had considered and all briefs that had been submitted to the Ministry of Education, as was promised by his predecessor in the previous government.

Before we begin second reading of Bill 30 today, I wonder whether the minister will provide all of us with all drafts and all briefs so we may be fully informed of his intentions.

**Hon. Mr. Conway:** If I might respond very happily to the request of the member for Don Mills, it is the intention of this government to release such information as was made available to it on its accession to office some 10 or 12 days ago. We have been reviewing that information. It is my expectation and hope to release that information to the standing committee on social development that will be reviewing Bill 30 in the next few days.

Let me reiterate that the drafts to which the member for Don Mills makes reference, the drafts over which the previous administration toiled for so long, will be happily transmitted to the standing committee on social development at some point in the very near future.

## STATEMENTS BY THE MINISTRY

### CHILD ABUSE

**Hon. Mr. Sweeney:** In the short time that I have been Minister of Community and Social Services, I have had an opportunity to take a close look at a problem which has long troubled me. The tragic abuse and neglect of children strikes at the very heart of our society. Mistreatment of defenceless youngsters causes untold pain and suffering, and undermines the future of us all. I would like to bring members up to date on this sad problem and on the measures my ministry is taking to assist those children whose misery demands our attention.

New figures just made available for the first five months of this year underline the urgency of the problem. Between January 1 and May 31 there were 826 cases of suspected child abuse reported to the provincial child abuse register.

This is a one year increase of more than 19 per cent.

Even more alarming are the figures on deaths as the result of child abuse and neglect. In the first five months of 1984, two children died by these means. In the same period this year, five lives were lost.

Sadly, the figures I have just spoken about continue a recent trend. The number of children reported as possible victims of child abuse for all of last year was 1,584, compared to 1,083 in 1983.

These numbers tell us three things: that more people are reporting their suspicions of abuse; that the public in general is becoming more perceptive about the problem; and that professionals are more aware and are looking for it daily in their practices.

Frankly, I want to emphasize that we do not know if these figures mean that child abuse is increasing; however, as part of our overall approach to the problem, we are designing a new computer system to help us find out. It will allow for a more thorough analysis of the information being reported to the register.

My ministry takes its role in this area seriously. Last February, a number of children's aid societies across the province were given additional allocations amounting to \$3.5 million a year. These funds were allocated as a direct result of the increasing numbers of children requiring care. In the intervening months, that allocation has been increased to an additional \$5.5 million annually.

In addition, my ministry responded to the trend of greater reported incidences of child abuse by allocating an additional \$1.3 million for 42 special child abuse workers across the province. I might add that these workers will deal exclusively with child abuse.

I am happy to say today that a majority of these special child abuse workers have been hired by children's aid societies; others are in the process of being selected. The challenge facing them is to identify instances of child abuse and work to eradicate it.

Today I also want to share with my colleagues in this House some new information on another kind of abuse and the small successes we are beginning to have in dealing with it. I speak now of the degrading and destructive lives being endured by teenage prostitutes.

Earlier this year, the ministry undertook a co-operative effort in Toronto with children's aid societies, the police and a number of medical social services and youth agencies. Our objective

was to help young prostitutes escape their dismal street lives and cope with the emotional and physical problems that landed them there in the first place.

**2:10 p.m.**

The ministry allocated more than \$1.3 million to a series of projects aimed at prostitutes under the age of 16. I am pleased to say that in just a short time the lives of dozens of teenagers have been changed for the better. Let me bring members up to date on these initiatives.

On May 15 of this year a five-bed, short-term reception centre was opened. It is designed to provide emergency shelter and crisis counselling to young prostitutes for a period of up to 72 hours. From the opening to just last week, 36 different teenagers passed through this centre. From there, they are returned to their parents or referred to foster homes, group homes, an assessment and placement centre or other treatment programs.

Longer-term care has been offered young prostitutes since April 22 on the ministry's Warrendale campus. This program provides an assessment, placement and referral service, in addition to shelter, care and supervision for these troubled youngsters. Stays are usually between 15 and 30 days but can be as long as 90 days. To July 2, 18 juveniles have spent time in this 10-bed unit.

The third prong of my ministry's approach is a long-term residential treatment facility in Edgar. This 12-bed unit opened in the late spring, and provides expert services to juveniles with psychological, psychiatric and social problems. It is expected that young prostitutes will stay in this facility for up to nine months, but treatment courses could last as long as two years. So far, six juveniles have been admitted.

These programs are aimed primarily at prostitutes 16 years of age and younger. In just a few short months we have been able to help about 50 troubled youngsters, an ambitious start to a program for which we have great hopes. The programs I have outlined have been also received very well by the Metropolitan Toronto Police force.

My ministry does not take all the credit for these initiatives. I wish to acknowledge publicly the key roles being played by the Children's Aid Society of Metropolitan Toronto, the Catholic Children's Aid Society of Metropolitan Toronto, Covenant House-Under 21, Cassetta Youth Services and the Hincks Treatment Centre. The future success of our efforts to help youngsters in



the cruel grip of teenage prostitution depends heavily on them.

Older teenagers between the ages of 16 and 19 who are captives of street life will be addressed by the new street outreach program in the inner city. This new program will have an annual budget of between \$400,000 and \$500,000.

Beginning early next month, four street workers will begin establishing contact with young prostitutes and referring them to the appropriate places for help. These workers, who must possess a special set of skills, are at present being hired and trained by Anglican Houses in Toronto in conjunction with the Downtown Coalition of Youth Work Professionals.

Neither of these initiatives—for prostitutes under and over the age of 16—would be possible without the participation of the Metropolitan Toronto Police force. The sensitivity of police officers on the street, and the experience and advice of their superiors, is one of the big reasons this is working.

As a father myself, it is difficult for me to understand why anyone would seek to take out his or her anger and frustration on young innocents. I find it hard to appreciate the tremendous pressures that force juveniles to the streets. Those adults who take advantage of these misguided youngsters are surely beyond our comprehension. But the evidence is clear: the abuse and neglect of children continues, perhaps even increasing in frequency. My ministry regards this as a matter of highest priority.

I am sure I enjoy the endorsement of all members of this House in my determination to push ahead with a campaign to give all our youngsters a childhood of innocence, free of pain and in an atmosphere of affection and support.

### SKILLS TRAINING

**Hon. Mr. Sorbara:** I have just returned from a meeting in Ottawa with the federal Minister of Employment and Immigration to discuss her government's recently announced Canadian jobs strategy. I would like to share with the Legislature the issues and concerns I have raised with my federal counterpart, which I will be pursuing in negotiations over the next few months. First let me take this opportunity to articulate our own government's philosophy with respect to training.

We are committed to skills development as a passport to opportunity, employment and personal fulfilment in our fast-changing economy. The employer-based training option complements the paths opened by colleges and universi-

ties to meaningful, productive careers. My officials will proceed vigorously with the task of reducing the confusion and overlap in work experience and training programs in Ontario. We are bringing together under one roof the programs previously run by a dozen ministries. We are working to make the programs understandable and accessible to both workers and employers.

Our society has not done enough to equip people for the world of work. This must change, and it will change. Marketable skills are the key to full participation in contemporary society; they unlock the door to social equality and individual self-reliance. But we all recognize that training is an economic imperative. Investment in people is just as critical, perhaps more critical, than investment in machines and technology. As economist Lester Thurow has pointed out, an effective industrial strategy requires excellence in all the building blocks of the industrial base. In particular, it requires a work force trained second to none.

This must be our goal. If our industries are to meet global competition, if our jobs are to survive and multiply, if the take-home pay of our workers is to increase, the development of human skills is vital. It would be a great mistake to regard training as a soft service which can be dispensed with in hard times. Training is much more than a social overhead; it is an essential part of our economic infrastructure, as necessary as highways, power grids and telecommunications. Without the right skills in the right place at the right time, economic growth will not happen.

I fear that the federal government, in its concern to reduce its deficit, has lost sight of this reality. Ottawa is cutting its deficit at the expense of general training in industry. The Canadian jobs strategy may represent a new approach, but it does not provide new money and reduces the federal commitment to industrial training.

The federal training and job creation allocation of \$2.1 billion nation wide for the current fiscal year is less than the \$2.2 billion budgeted by Ottawa last year. The federal government apparently intends a further reduction to \$1.9 billion next year. The real impact of this erosion is even greater when the effect of inflation is taken into account.

Our industries today are locked in a competitive struggle with industries in Japan, the United States and the rest of the world. This is not the time to undercut the federal commitment to building the skilled work force needed to fashion world-class products in Canada. This is the time

to reinforce the federal-provincial partnership which has prevailed in skills training for nearly two decades. Rooted in the Pearson-Robarts years, this working relationship between the two levels of government has exemplified co-operative federalism at its best.

As the first ministers affirmed in Regina, training and upgrading represents a crucial investment in a strong, adaptable and vibrant economy. The Canadian job strategy of the federal government does not effectively serve this principle. Others have criticized the new federal thrusts as an intrusion into provincial jurisdiction, but Ontario is less concerned with abstract constitutional issues than with the practicalities of effective program delivery. We are worried about such questions as: Will young people have access to the training they deserve? Will employers find and develop the skilled work force they need? Will the training be of the best quality? Will the money be available on time?

**2:20 p.m.**

Ontario regrets both the unilateral cancellation by the federal government of the critical trade skills training program and the general industrial training program, and their cancellation before effective new initiatives are in place to support training in both small and medium-sized industries. Last year, more than 15,000 Ontarians gained worthwhile job skills under these two programs.

Since the new federal initiatives do not take effect until September and no new training applications have been accepted recently, a significant gap in services has been created this summer. Both workers and employers are losing precious opportunities for skills training as a result of this regrettable hiatus in federal funding.

The federal document identifies six training priorities:

1. Skill Investment is geared to ensure that workers and industry are able to adapt to changing technology and markets.

2. Skill Shortages is designed to avert critical skill bottlenecks by equipping workers with specialized training.

3. Job Entry will help young people and women make the transition from school and home to the work force.

4. Job Development aims to improve the employment prospects of the long-term jobless through training and work experience.

5. Community Futures proposes to assist communities hit by plant closures, mass layoffs, chronic unemployment or economic decline.

6. Innovations provides funds for imaginative pilot projects to test new ideas for solving labour-market problems.

Enhanced training allowances are proposed for the new federal programs. Persons on part-time courses will be eligible for support, a feature which will especially benefit women re-entering the labour force, and dependent care allowances will be open to all trainees who have to pay for the care of children or disabled dependants.

This new approach will extend opportunities to groups most in need of training, who were often overlooked by the previous training allowance structure.

Clearly, there is much to commend in the new federal strategy, but our grave concern is that these priorities and initiatives are being financed at the expense of industrial training in general. If the pie of federal spending on training is shrinking, larger slices for specific groups inevitably mean a smaller portion for wider objectives. In this context, Skill Investment has been defined to deal only with the threat of unemployment rather than also with the promise of competitive growth and prosperity.

In Ontario, community colleges and the Canada Employment Centres have recently completed their annual needs assessment process. Ontario firms have indicated a demand for more than 60,000 trained workers in a host of occupations, from technologists and technicians to systems analysts and computer programmers. In addition, tens of thousands of individuals require training to upgrade their skills in their current occupations so they can keep their jobs.

In this province, job training must not become a zero-sum game in which opportunities for some workers are won at the expense of others. Moreover, the allocation to Skill Shortages illustrates how the training effort is being eroded. Skill Shortages have a \$50-million national budget for this year, compared with \$82 million for last year's critical trade skills training program.

In addition, we question the effectiveness of the incentives for employer participation. The rate of wage subsidy for on-the-job training, which was 50 per cent under the old programs, is to be reduced to 25 per cent under Skill Shortages and Skill Investment. This could be offset at least in part by an increase in the number of training hours covered, but Ottawa has not yet revealed its plans here.

In other respects, such as reimbursement for training costs, the new programs are less generous.



The federal government advocates greater privatization of training, placing more reliance on business, both small and large, to undertake skills development; but it is surely a dangerous contradiction to give the private sector more responsibility with fewer resources and weaker incentives.

Ontario agrees that employer involvement in training is overdue; however, we must ensure that public funds not only encourage employers to meet their own training needs but also provide for quality training that enhances the mobility of individual workers.

Employers often require assistance in designing training programs and tend to focus on their own specific short-term needs, but Ontario believes training should be broader so that skills learned in training will be portable. Training should represent a solid base for the individual's career growth. The end result should be a flexible labour force for industry as a whole.

In the past, the federal government has respected the province's role in the design and monitoring of training programs. We believe this function must continue in order to protect the quality of training.

The federal strategy announced a new role for Canada Employment Centres. The centres in the future will limit their counselling activities to special needs groups. Ontario concurs that the monopoly the Canada Employment Centres have had on the marketing of training programs has not worked. Ontario's community colleges, in co-operation with my ministry, are prepared to take up the challenge of promoting and communicating these initiatives to employers and workers.

Ontario is eager to negotiate such operational questions with the federal government in a constructive spirit. Our aim is to ensure a smoothly functioning, co-ordinated system that meets the needs of workers, employers and the economy as a whole.

Under the current arrangements, which are due to expire at the end of this fiscal year, the federal government purchases training places in Ontario's colleges of applied arts and technology. We were concerned that the federal government might intend to dispense with formal institutional training agreements. Apparently, Ottawa intends to roll its institutional funding activities into the Canadian jobs strategy.

Ontario has a massive capital investment in top-notch community colleges. To employ that investment productively, we require reasonable certainty and stability. We cannot build on the

shifting sands of changing federal priorities. I have been assured by the federal minister, however, that a new training agreement will be put in place, and I can confirm that in this process Ontario will be seeking firm, written agreements from the federal government to ensure the colleges' future role in occupational training.

To provide a framework for designing programs and evaluating results, our government will prepare the first comprehensive training strategy for Ontario. We will define a set of targets for skill levels in various occupations, shaping our objectives through reference to trends in competing jurisdictions.

Our strategic plan will vigorously position training as a cornerstone of industrial growth in Ontario. Training and skills upgrading are necessary and fundamental if we are to ensure individual self-reliance and broaden personal horizons. Our investment in the talent of our people will secure a new era of economic growth.

We intend to continue to work constructively for revisions to the Canadian jobs strategy necessary for a strong, up-to-date federal commitment to industrial training. I look forward to a renewal of the spirit of co-operative federalism which has shaped our industrial training system for a generation and which must be even more effective for our future prosperity.

2:30 p.m.

## ORAL QUESTIONS

### FORMER GOVERNMENT'S COMMITMENTS

**Mr. F. S. Miller:** I commend the minister for his statement. In all seriousness, I hope he will agree with me that the ministers before him had a large part in making sure those things took place.

I have a question for the Chairman of Management Board. In the first few days after the new government took office, the Premier (Mr. Peterson) commented that he would be reviewing the \$180 million of expenditures and commitments made by our government between May 2 and June 28.

I am looking for a commitment from the minister today that the review of government expenditures between those two dates will not put in jeopardy some of the very critical programs. Let me mention the specific ones I am worried about: the \$43 million for the operation of hospitals; the \$13 million—

**Hon. Mr. Peterson:** The member for York Mills already asked that.

**Miss Stephenson:** I asked the Premier.

**Mr. F. S. Miller:** Each day there is a different answer to the same question.

**Mr. Speaker:** Order.

**Mr. F. S. Miller:** There is a different answer to the same question every day of the week. We have had three answers on opting out already. Let us see what her answer is today.

**Mr. Grossman:** If any.

**Mr. F. S. Miller:** Let her try to answer the question. We want to see if another minister disagrees with the Premier.

**Mr. Speaker:** Order.

**Mr. F. S. Miller:** I am not through yet.

**Mr. Speaker:** Have you completed your question?

**Mr. F. S. Miller:** I am not quite finished. The interjections got me.

There is the \$13 million for child care initiatives; the \$6 million for the Thunder Bay St. Joseph's health care centre; the \$6 million for conversion of residential beds to extended care; the \$3.5 million grant to the Red Cross; and the \$3.5 million for the integrated home care program. Those are just on the social side.

We want the minister's commitment that those programs and those commitments remain intact.

**Hon. Ms. Caplan:** Let me assure the Leader of the Opposition that this government is reviewing carefully and with a sense of sensitivity the commitments made to ensure that the review will be undertaken in a co-ordinated and efficient manner and that we will be proceeding clearly in the immediate future to determine which, if any, of the commitments we will be undertaking.

**Mr. F. S. Miller:** When one reads that in Hansard, it will show that in one week the minister has managed to master the entire bureaucratic lexicon of words. She did not answer my question. She did not tell me that she is protecting the \$43 million for hospitals. She did not talk about the other side, the \$30 million to protect jobs at Petrosar and the \$3.5 million for the Barrie disaster relief. What is her commitment?

**Hon. Ms. Caplan:** Our commitment is to review. I assure the member, as part of that review, if he is concerned about his golf game he should not worry. We are reviewing.

Interjections.

**Mr. Speaker:** Order.

**Mr. Laughren:** When the minister is reviewing the promises made by the previous government, I wonder if she can also tell us whether she

intends to leave in place the \$5 million to Deerpark.

**Hon. Ms. Caplan:** Let me assure the member that we are looking at all those items and the promises made. Golf courses are definitely on the list.

**Mr. F. S. Miller:** Since the minister likes to take cheap shots of that order, does she not know that is a Canada-Ontario tourism agreement for major attractions, creating 1,050 man-years of work in construction and 370 jobs on a permanent basis for a lower cost per job than any other assistance program for job creation in Ontario?

**Hon. Ms. Caplan:** I thank the Leader of the Opposition for the additional information and assure him that we believe there is nothing cheap about a \$5-million promise and that we will be reviewing expeditiously.

**Mr. Gillies:** Is that a cheap shot or a chip shot?

**Mr. F. S. Miller:** The chip shot she is not so good at.

#### AGRICULTURAL FUNDING

**Mr. F. S. Miller:** I have a question for the Minister of Agriculture and Food. During the election campaign, we got copies of a Liberal Party agricultural policy called A New Deal for Ontario Farmers.

[Applause]

**Mr. F. S. Miller:** Members opposite should applaud. Tomorrow they are going to have their chance, believe me; there were 22 points, but only one and a half made the cut. The half was that the Liberal Minister of Agriculture and Food would have a strong agricultural background; the other was one we have lost in the process; I can only tell members that.

During the Premier's (Mr. Peterson) lengthy statement last week, the government had only one of those 22 points in the program and there was silence on the rest. The Premier has always said, and I have heard him say it many times, that he did not think our Minister of Agriculture and Food had any clout in cabinet. What has happened to his minister?

**Hon. Mr. Riddell:** In the fullness of time the Leader of the Opposition will be pleasantly surprised. I can assure him that he will be hearing programs being announced very soon. We will be living up to our commitment for an eight per cent subsidy on long-term credit.

We met the first point the member mentioned. The Minister of Agriculture and Food does have a strong agricultural background, and I can



assure him the Minister of Agriculture and Food does and will have clout in cabinet.

**Mr. Stevenson:** Since the minister has mentioned the eight per cent program, the emergency interest reduction program, which was written up in the new spiel for Ontario agriculture, can he tell us whether every farmer in Ontario is going to qualify for that program as the outline suggests?

**Hon. Mr. Riddell:** As I indicated yesterday, we are looking at the various options, one of which is whether we will consider those farmers in greatest need or paint with a broad brush. I can assure the member that most farmers will qualify under the program, which we will make a decision on very soon.

**Mr. Rae:** We are all aware of programs that have been proposed to deal with the problem of credit and long-term credit and we look forward to those announcements as soon as possible. Does the minister intend to make an announcement with respect to what I am sure he will agree is another important aspect of the problem, which is the problem of price support in general?

If farmers are not able to get a price that reflects in some way their cost of production, the problem of credit is not going to deal with the problem of the long term, which we need to deal with. Does the minister plan to address the problem of price support right across the board?

2:40 p.m.

**Hon. Mr. Riddell:** Yes. I intend to meet with the provincial ministers of agriculture, the federal Minister of Agriculture and senior staff the week after next. We are going to discuss the tripartite stabilization program.

As the member well knows, the legislation has been proclaimed allowing the provinces to enter into an agreement for a tripartite stabilization program. As he also knows, all the provinces do not go along with the proposal made by the three western provinces and Ontario that there should be no top loading.

This is one of the items we have to discuss at this ministers' conference, but I can assure the member I am most anxious to get a tripartite stabilization program going as soon as possible. Failing that, we are also committed to a bipartite format, which has been mentioned for the last two or three years in this House.

**Mr. Stevenson:** If I could get back to the original question, will the announcements that are to be forthcoming in the fullness of time—and I assume that means in the next week or so by the way the minister is speaking—include an expansion of the beginning farmer assistance program

he has promised for so long? Will it also include an announcement of the capital loans program?

**Mr. Wildman:** He has been the minister for only 10 days.

**Hon. Mr. Riddell:** The beginning farmer assistance program will remain in place. The member is well aware that program subsidizes interest rates to eight per cent. As far as the capital loans program is concerned, it is something we are still considering.

However, the member has to realize our plate has been extremely full with tripartite, bipartite, tornado and hail disaster relief—you name it. We have had it all at once. I have been the minister for only a short time. Rome was not built in a day.

#### PRIVATIZATION OF HEALTH CARE

**Mr. Rae:** I have a question for the Premier. It concerns the report today at the federal level involving the privatization and commercialization of the health care system. No doubt the Premier will be aware that Ontario has become the capital of private-profit medicine in Canada and it is the base of operations for many such operators across the country.

What position does the government intend to take with respect to the expansion of the nursing home sector in the province under private-profit care and the privatization of hospital and nursing care? What is the position of the government of Ontario with respect to the Americanization, commercialization and privatization of our health care system in the province?

**Hon. Mr. Peterson:** I have not seen a copy of that final report and I understand the minister has not received it. On the other hand, I am aware of press reports on the matter and the suggestion there should be increases in privatization at the federal level. I gather this is a report that came from Mr. Sherman, a former minister in Manitoba.

The honourable member will be aware that there have been some initiatives in that regard in our own province in the last little while; for example AMI (Canada) Ltd., particularly in the Hawkesbury area. Although this government does not endorse the private ownership of so-called institutions that have been traditionally in the public sphere; however, there is sufficient cause for consideration and concern for a number of people.

I know there are a number of initiatives going on in various different institutions to look at some of the so-called privatization options. It is one thing I know the member feels strongly about,

and I think perhaps other members of this Legislature as well feel we should tread very lightly in this regard. That is why we hope in the very near future a committee of this Legislature will be struck to examine in detail the policy options as we proceed.

This so-called privatization takes many forms, whether by contracting out or through a variety of other management contracts, going to direct, outright ownership; so it has to be examined in all of its forms.

To come back to the member's specific question with respect to the nursing home situation, we have said before and we will say again that our emphasis will be in the creation of nursing home beds, and on the nonprofit sector. That is not exclusive. When I say that, I am not ruling out the use of so-called private hospital care or private nursing homes in that regard, but the emphasis with respect to licensing from this government will be on the nonprofit sector. They will get the breaks.

**Mr. Rae:** I attended a meeting some time ago with the Minister of Community and Social Services (Mr. Sweeney), who at that time was the critic for the health care system. The meeting was sponsored by the Social Planning Council of Metropolitan Toronto with regard to this issue of privatization and the growth of private-profit medicine in Toronto. The member at that time announced he had just come from a caucus meeting of the Liberal Party where it had decided on a moratorium on further expansion of private-profit medicine in the province.

Is that still the position of the Liberal Party or has there been a change since that meeting, which was held before the election, particularly with regard to the 4,500 extended care beds which had been announced by the Conservative Party and were announced again on June 11?

Can the Premier tell us precisely what the bidding policies of the government will be with regard to that? Is he prepared to live up to the previous commitment that there would be a moratorium on the expansion of private-profit medicine in Ontario?

**Hon. Mr. Peterson:** The answer is yes. I restate our very strong commitment to a public system, to open access and to fairness for all.

We are not planning any initiatives. There have been no initiatives in the last eight or nine days with respect to privatization that I am aware of. The leader of the New Democratic Party will know that sometimes things go on that the government is not aware of. At this point I am not

aware of any nor would I permit any, had I been aware of them.

I do believe this matter does require a thorough, open, full public debate. It is not my intention to expand in that area without a great deal of thought being put into it. I invite all members to apply their minds to the question because it is an issue we will increasingly face in the future—analysing North American trends. It is fundamental to the kind of quality and care we will have.

**Mr. Andrewes:** I think I heard the Premier say yes to the question of whether or not there would be a moratorium on the allocation of nursing home beds. Is it the government's intention to allocate the 4,500 beds that were announced by the previous government and to receive advice from the district health councils on the regional distribution of those beds?

**Hon. Mr. Peterson:** I did not think I said there would be a moratorium on the allocation of beds. I did not say that at all. We need nursing home beds and we are prepared to proceed.

**Miss Stephenson:** Yes, you did.

**Hon. Mr. Peterson:** On the privatization. Does the member understand that?

Let the member for St. Andrew-St. Patrick (Mr. Grossman) tell them what I said. He is telling everybody over there what to say. Let him tell them what he wants them to say.

**Mr. Grossman:** We knew we would get you one time.

Interjections.

**Mr. Speaker:** Order.

**Mr. Rae:** I hate to interrupt a leadership campaign, but I will do so briefly. We have a different kind of competition going on over here.

I am sure the Premier understands that if 4,500 beds are to be allocated in the current system, then as the system now stands, in all likelihood, given the domination of the private-profit sector in the nursing home field, that is going to result in an expansion of the private-profit provision of care in the province.

What specific steps does the Premier intend to take to ensure that nonprofit, community-based services can apply for these beds and for these applications at the district level? Second, with respect to the extended care program at home, which was announced by the previous government and which we presume is going to be put into effect by the member for London North (Mr. Van Horne), the minister responsible for senior citizen services, what is the Premier going to do to ensure those services are going to be provided



on a not-for-profit, community basis, rather than on the private-for-profit basis which has been the practice of the Tory party in Ontario in the past?

**Hon. Mr. Peterson:** With respect to the member's first question, maybe we need a select committee of this House to sort out the problems in that party over there. We would be very happy to help them. The member for St. Andrew-St. Patrick does not get to me; he just gets to bother his poor leader.

**2:50 p.m.**

The emphasis will be on the nonprofit area. There are some areas in this province that are less capable of developing those kinds of community responses. As I have travelled this province and visited many of these institutions, I am persuaded that, on balance, they work extremely well, and that is the emphasis we will have. We have stated our emphasis in this area, on home-care programs, on noninstitutional programs and in being responsive to our seniors.

One of the things that constantly comes up in the briefings we have from the ministry and in all the information we get is that the services have to be rationalized in a very thoughtful way. They must be rationalized in a way that has not been done heretofore. There is duplication and there are problems with respect to administration and regulation. That is why we have something unique—a minister who is looking at that responsibility exclusively to make sure we deliver those services in the most sensitive and effective way.

It will start with home care programs and a responsive institutional approach—for example, nursing home beds with emphasis on the nonprofit sector. That is our approach.

#### OIL SPILL

**Mrs. Grier:** My question is for the Minister of the Environment. The minister has been made aware by my constituents, as I have, of their concern about a spill in Etobicoke. It involves a substance that smells terrible, which we think is diesel oil, and which is floating on the surface of Lake Ontario on the Etobicoke shoreline.

I wonder whether the minister would be good enough to tell the House whether or not the source of this spill has been ascertained and who is taking the lead in the cleanup.

**Hon. Mr. Bradley:** I am aware, as the member is, from reports by the news media and from my ministry of a spill that has taken place there. The Ministry of the Environment, central region, was informed at 8:45 last night by the Metro Toronto works department that an oil slick

was reported at the Etobicoke shoreline. It is about 250 feet offshore and about half a mile long and drifting westward. It appeared to be diesel oil or kerosene.

At this time it appears the source was probably from the GO Transit refueling depot north of the lakeshore in Etobicoke. GO Transit locomotives draw diesel fuel from underground tanks at that depot. My ministry is investigating ways of controlling the spill. The member will realize that the oil goes down into the water and the slick has just about disappeared at this time.

I suppose it would be easy to say there is no long-term environmental damage. This has been the general consensus over a period of time. It is not my view, however, that this is the case. I look at it in terms of the cumulative effect of this spill and perhaps other spills from time to time of which we have not been made aware. Some of them may have been small, yes, but the cumulative effect, along with the discharges from the water pollution plants in this area, makes me concerned about the raw water supply. Of course, the raw water is appropriately filtered and treated, but ultimately it is used for drinking water in Metropolitan Toronto.

My ministry is investigating. We want to ascertain specifically how it happened and to determine whether charges should be laid.

**Mrs. Grier:** My question concerned the cleanup. Do I take it from what the minister has said that it is not the intention of the ministry to initiate a cleanup of this spill? Contrary to the information the minister has received, it was certainly clearly visible to me at the end of the street in Mimico at 10 o'clock this morning.

**Hon. Mr. Bradley:** We will be looking into those matters. I understand they have a machine called a slick-licker or something—I cannot recall the exact title—which picks up an oil slick. We will be using that if it is feasible. We will take whatever action is necessary to attempt to clean that up. I understand some birds have landed there and have been adversely affected, and also the fish. The oil gets into the mud or the sediment, the fish eat worms or whatever it is they eat down there, the oil gets into the fish system and they are adversely affected.

**Mr. Foulds:** It is called the ecosystem.

**Mr. R. F. Johnston:** Do not get too technical.

**Hon. Mr. Bradley:** The answer is yes, we will attempt to clean it up. Obviously, it is a matter of great concern to the member and to all members around Metro who are affected.

**Mr. Brandt:** I found the minister's tour around the environmental world of the Great Lakes most enjoyable. There was one comment in particular which I find rather interesting, and I would like to ask a supplementary question concerning it. I believe the minister said—I just want to give him an opportunity to clarify this—the oil went into the water. By that I assume he meant it went down into the water.

As I understand it, oil sits on the surface of the water; so this oil slick could be picked up by the technology developed by the ministry to perform this type of cleanup. Could he perhaps clarify how deeply the oil penetrated the water and whether his equipment—

**Mr. Rae:** Did the member write that question or did Larry write that question?

**Mr. Foulds:** You are treading water.

**Mr. Brandt:** If those members want to join the government they should move across to the other side. It is terribly crowded here on the opposition side. I would find no difficulty whatever if that whole group went over with the government instead of being apologists for it during the entire question period.

**Mr. Speaker:** Order. The honourable member has placed his supplementary.

**Mr. Brandt:** That is my question.

**Hon. Mr. Bradley:** I appreciate the kind assistance of the former Minister of the Environment. I know of his genuine concern about matters of this kind. I will certainly investigate the possibility of that technological equipment being used to clean up this spill.

I understand some of it has dissipated. My impression as well is that oil hangs around for quite a while on the surface, but I understand some of the spill has somehow made its way down into the sediment. I will investigate all aspects of this, even the possibility of laying charges, pinpoint the source and do everything possible to rectify the problem in as short a time as possible.

**Mrs. Grier:** The minister indicated to this House last week that the spills bill he intended to proclaim would not really be proclaimed until next November 29. In view of this incident, would the minister not agree that the cleanup would have been facilitated had the spills bill actually been proclaimed last Friday, and would the minister consider a different date on which the act could take effect?

**Hon. Mr. Bradley:** I agree with the member it would have been desirable to have had this bill proclaimed somewhere around five years ago.

She will recall it was passed, I think, in December 1979.

As to the specific date on which it comes into operation, the problem is that a period of time is required for hearings on the regulations. There are a number of groups, both environmental groups and those opposed to the bill, that want an opportunity to make representations to the specific panel of experts we will be setting up to hear representations. In addition, once the final regulation is before us, it will take time for the insurance companies to draw up the specific insurance for it.

I would have preferred to have had it many years ago, but that is the reason we chose that particular date. As the member has brought to the attention of the House, it points out the value of having the spills bill proclaimed.

#### ABORTION CLINCS

**Mr. Timbrell:** I have a question for the Premier. During the recent election campaign, in response to questions on a matter of deep concern to women in Ontario, he indicated that if elected he would seek an immediate injunction to close the Morgentaler clinic pending the outcome of the current appeal. He also promised all the women of Ontario more equal access to the services of therapeutic abortion committees. I would like to ask the Premier whether that injunction has been sought; and if not when it will be filed.

**Hon. Mr. Peterson:** The former minister will be aware that the appeal is now in the courts. We have sought legal advice on the matter. To the best of my knowledge at the present time, it has to take its course through the courts as instituted by the former Attorney General. That is my understanding. We are not in favour of the so-called free-standing abortion clinics. That is our position now, as it was then. I assume that answers the question.

I did say, and I do believe in it, that the Minister of Health (Mr. Elston) will be discussing with the various district health councils methods of having fair and even access across the province for regularly constituted abortion through therapeutic abortion committees.

3 p.m.

**Mr. Timbrell:** With respect, the Premier did not answer the question because his commitment was to seek a civil injunction as soon as he assumed power. He has been the Premier for 13 days. What he is saying is he is not now going to keep that commitment.



On a related question, is it the Premier's intention to continue, through the discussions of Minister of Health with the district health councils, to promote the idea of satellite free-standing abortion clinics, to which he also made a commitment during the election campaign?

**Hon. Mr. Peterson:** We have reviewed the legal matter. The legal opinion coming back is that the appeal having been launched and in process at the present time, that injunctive relief would not be granted now. That is the situation of this government.

**Ms. Gigantes:** Would the Premier ask his Minister of Health to now release the report done for the Ministry of Health in 1981, which was a review of the Badgley commission report and which was never released by the previous government?

**Hon. Mr. Peterson:** I have no problem with that. One of the things we hope to do very quickly is bring in freedom of information legislation that would make all those things available. I do not know the status of that specific report. I know of no reason it could not be released, and we would be happy to share that with the member.

#### FARM PRODUCT PRICES

**Mr. Hayes:** I have a question for the Minister of Agriculture and Food. Is he aware that many of the family farms in Ontario have gone bankrupt not only because of the high interest rates but also due to the low prices they receive for their labour and commodities? Is he aware that approximately 80 per cent of the farmers in Essex county have to work at off-farm jobs in order to keep their farms? If he is aware of these issues, will he ask this Legislature to support the federal Bill C-215, which would help to ensure that farmers in Ontario and Canada receive a fair price for their labour and goods? This bill is in committee now and it is supported by the farmers in my riding—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Riddell:** I hope this will be another item on the agenda when we have our meeting in two weeks. I think the member realizes there is very little government can do about the prices farmers receive for their products. There is enabling legislation if producers want to enter into their own type of controlled production, but that is entirely the producers' decision. We are hoping that tripartite stabilization, if we can ever get it on the road, will go a long way to help producers with the low commodity prices they

are facing now. I can assure the member we are going to work extremely hard to try to bring the tripartite stabilization program to fruition. In two weeks, we will be spending a good deal of time talking about this very thing.

**Mr. Ramsay:** Will the Minister of Agriculture and Food petition the other ministers at this meeting and also the federal government to support this bill? It not only addresses tripartite stabilization but all commodity prices, and we need that sort of support for the stabilization of all commodities. As the minister knows, this is the number one issue in agriculture. Like it or not, food in this country is too cheap and farmers are not getting enough return for what it costs to produce. I would ask if the minister would look into that.

**Hon. Mr. Riddell:** The member realizes tripartite stabilization will not apply just to the red meat sector, although it was that sector that had been working for some time to get that program in place. There is nothing to stop other commodities from coming under the tripartite stabilization program. If the producers of non-supply commodities wish to enter into the program, they will certainly have the opportunity to do so.

**Mr. Stevenson:** I am a little surprised by the minister's strong support of tripartite stabilization today, because about a year ago he was saying that tripartite stabilization only stabilized poverty in the agricultural community.

It is clear the minister will want to go far beyond tripartite stabilization. I wonder what else he will do to get prices of agricultural commodities up where they should be?

**Hon. Mr. Riddell:** I will stand by my statement that I do not think, and I hope the farmers do not get the idea, that tripartite stabilization is the panacea a lot of them see it to be. It is kind of a stop-loss measure for farmers, but it is certainly not, nor should it be, a program to give farmers the incentive to overproduce. Overproduction is the one thing we have to be very concerned about. That is part of our problem today.

It is a stop-loss measure. It is the first step in trying to assist farmers with low prices in trying to stabilize prices. As a government, we are always willing to work along with the farmers if they want to enter into another type of marketing program whereby they can have controlled production and some say over the price they receive. It has to be a decision made by the farmers. If they do that, then they will certainly have our support.

### SALE OF BEER AND WINE

**Mr. Andrewes:** My question is to the Minister of Agriculture and Food, and by way of congratulations to him on his portfolio. It is a question on a lighter issue, but none the less important.

The minister will recall that in his statement of last Tuesday, the Premier (Mr. Peterson) announced the government would undertake consultation with interested groups on the sale of beer and wine in retail stores.

I want to ask the minister, who comes to this House as the former Ministry of Agriculture and Food critic and certainly has a long-standing interest in this issue on behalf of the agricultural community, what input did he make to his leader on behalf of the agricultural producers, more particularly the grape growers of Ontario, prior to his leader's announcement during the election campaign of the Liberal Party's policy on the sale of beer and wine?

**Hon. Mr. Riddell:** I would have to say in all honesty that I met with one of the wineries prior to becoming the Minister of Agriculture and Food. We had a very lengthy meeting. Their representative certainly made me aware of the problems. The member can be assured there will be very extensive consultation with the grape producers and wineries before we come to any final decisions on beer and wine in the independent stores.

**Mr. Andrewes:** I do not quite think I got an answer, but I hope the minister enjoys his ongoing meetings with the wineries.

**Mr. Speaker:** Now, if I may have the supplementary.

**Mr. Andrewes:** Did the minister determine, prior to his leader's undertaking this rather major policy commitment on behalf of the Liberal Party, whether the policy of selling domestic wine and beer that was made by his party was in keeping with the General Agreement on Tariffs and Trade and whether such a policy could invite retaliation by our trading partners; which might impact on other trade and more particularly other agricultural goods produced in Ontario and traded outside this province?

3:10 p.m.

**Hon. Mr. Riddell:** Certainly the way things are going today I would be surprised if it did not invite retaliation, in the light of the so-called free trade movement of Mr. Reagan and Mr. Mulroney and the resulting duties that are being placed on our products. I have a feeling we are going to see far more of this. It is something we have to

look into and I believe the Premier has already said there will be a committee established to look into free trade and the impact it will have on us in Ontario.

Believe me, we are the ones to lose with that kind of program.

**Mr. Swart:** In addition to any benefit that may be provided if wine is sold through grocery stores, what consideration is the minister giving at the present time to deal with the tremendous grape surplus that appears likely when the harvest comes off this fall?

**Hon. Mr. Riddell:** I think the honourable member realizes that last year we entered into a joint program with the federal government and absorbed the loss on all the surplus concentrate.

The member is quite right that we are looking at a surplus situation again this year. It remains to be seen what the federal government is going to do. We will have to enter into agreements or discuss with our federal counterparts whether once again this will necessitate a joint program to remove the surplus product from the market.

I think the member also understands that the former government made a commitment to the extent of \$3.5 million to try to get the surplus to market, probably by having to sell it at fire sale prices. We are consulting with the Treasury to see if that \$3.5 million will still be available to get rid of some of the surplus we have at the present time.

However, it is something that has to come before the federal government and something we will be talking to the federal government about.

### NURSING HOMES

**Mr. D. S. Cooke:** I have a question for the Premier in the absence of the Minister of Health (Mr. Elston) regarding the nursing home sector.

I have a copy of a memo from Essex Nursing Home that went out to all the residents and their families. I would like to read two sentences from that memo: "Effective immediately, a nominal charge of \$2 monthly shall be charged for each electrical appliance brought into the health care facility by residents, their families and friends. We would request that you reassess your needs or those of the residents to determine the necessity of any electrical appliance within the resident's room."

In addition, this nursing home is charging \$40 a year to install air conditioners for people who have private rooms and \$20 a month to hook up an air conditioner.

Would the Premier talk to the Minister of Health immediately and stop this charge in this



nursing home? Would he not agree this is another example of the private sector in private nursing homes putting revenue ahead of residents? Does he not agree that, in view of this and other things that have happened in the nursing home sector, the 4,500 extended care beds should go to the homes for the aged sector and not the nursing home sector?

**Mr. Speaker:** Order. The member has had about three question marks already.

**Hon. Mr. Peterson:** One certainly has to admit the private sector is creative, but let me say those things are disturbing.

If the member will give me all the particulars, I will share them with the minister and get the information back as quickly as possible with a full report to the member and the other members of the Legislature.

**Mr. Hayes:** These places are supposed to be homes where people can enjoy their personal belongings such as radios, television sets, fans or whatever the case may be. This policy, and it is a written policy, is very unjust treatment of the elderly in this home. After the minister gets all the details, will he take immediate steps to stop this unfair and unjust treatment of the elderly?

**Hon. Mr. Peterson:** From what the member tells me, it certainly appears to be unfair in the circumstances. I will look into it immediately and I hope to come back with a speedy response.

**Mr. Grossman:** Is this House to understand that the Premier's position is he will have a moratorium at some stage? There are 4,500 nursing home beds that have been announced but not allocated and no decisions have been made. Is the Premier going to let those 4,500 go ahead and thus break the commitment he gave during the election campaign to have a moratorium, or is he going to have the moratorium he promised and break commitments given by the previous government of 4,500 nursing home beds throughout this province? Is it the first or is it the second?

**Hon. Mr. Peterson:** I have a response to the designated hitter for the Conservative Party on his supplementary that is not a supplementary. The previous government made many deathbed repentances and promises about things to which it could not or was not prepared to commit itself, then committed itself in a virtual orgy.

**Mr. Grossman:** Is it the first or the second?

**Hon. Mr. Peterson:** The reality is that the previous government made many promises it knew it never had to fulfil. We are going to be progressive in that regard. We are going to have

adequate nursing home service. The member knows that is the kind of government we have.

**Mr. Grossman:** No answer. They are afraid of the New Democrats. They are intimidated. No answer at all.

**Mr. Speaker:** Order.

Interjections.

**Mr. Speaker:** Order; there are a number of other members who wish to ask questions. The Minister of Community and Social Services has a reply to a question previously asked.

#### SHELTERED WORKSHOPS

**Hon. Mr. Sweeney:** During my response to a question asked by the member for Hamilton West (Mr. Allen) yesterday, as the member may remember there was a rather spirited dialogue going on in this House and I did not hear all of his question. He made reference to two points, one of which dealt with payments made through workshops. I believe I responded to that.

After checking Hansard, I realized that the member also made reference to the reduction of income of people working in sheltered workshops with respect to their family benefits. I had indicated that the program was under review. I want to make sure the member understands that my reference to review refers only to the sheltered workshop allowances, not to the reduction in wages.

I do have for the member additional personal information on the individual to whom he drew my attention and I would be quite happy to discuss that with him privately.

Finally, I point out that on May 25 of this year the Ontario Association for the Mentally Retarded indicated that if a combination of all the benefits available to the kinds of recipients we were talking about were to equal the \$4 minimum wage, then it would feel that was fair.

I would draw to the member's attention that a combination of the guaranteed annual income system for the disabled allowances, earnings exemptions and benefits, such as drug benefits and dental benefits, do equal the \$4 minimum wage over a 37.5 hour week if one takes into consideration the kinds of exemptions to which that would be attached. I am not suggesting that is more or less than enough, but simply clarifying for the member the direction and the intent of my answer.

Interjections.

**Mr. Speaker:** Order.

I understood this was a reply to a question previously asked, which is quite in order under

these circumstances. However, this was a clarification or a correction of what was said previously. In future, if such an occasion should arise, I suggest the minister should make it during ministerial statements. I would appreciate it very much.

I will add one minute to question period because I think that should be done.

**3:20 p.m.**

#### TILE DRAINAGE

**Mr. Wiseman:** I have a question for the Minister of Agriculture and Food. We all know how important it is in this province to have good tile drainage. During the last election, all parties were asked to comment on this very important program. The Liberal Party said if it was elected and became the government it would move from the 60 per cent funding to 75 per cent funding at eight per cent interest.

Can the minister tell the House whether he intends to keep this commitment. If so, when can the farmers expect to take advantage of these increases in the program?

**Hon. Mr. Riddell:** As a matter of interest, it has been a topic of discussion between myself and my senior staff, and in all fairness we are looking at some options in that program. Knowing that eastern and northern Ontario have not had the same advantages we have had in, say southwestern Ontario, one thing we are looking at is perhaps extending the program to 75 per cent for those areas of the province that still need tile drainage and leaving it at 60 per cent for those areas that already have their land fairly well tiled but are now bringing it in between what they already have. It is a consideration we are giving to eastern and northern Ontario farmers.

**Mr. Villeneuve:** I have a supplementary for the Minister of Agriculture and Food on the subject of drains, and in particular the eastern Ontario subsidiary agreement and municipal drains. In our speech from the throne we had \$40 million scheduled for EOSA. Can the minister tell us, please, how many dollars his government has scheduled?

**Hon. Mr. Riddell:** I cannot tell the member today, but I will. There is such a thing as having to discuss some of these things with cabinet and Treasury, and I have been in the position for only a short time. If members opposite give me some time, I think they will be pleasantly surprised.

#### AIR AMBULANCE SERVICE

**Mr. Wildman:** I have a question for the Minister of Northern Affairs related to the

northern air ambulance service. Is the minister aware that on June 16, a 68-year-old woman from Hornepayne was transferred from McKellar General Hospital in Thunder Bay to Hornepayne Community Hospital by norOntair commercial flight, alone, unaccompanied, and in her bedclothes?

Will the minister investigate and determine why McKellar General Hospital did not take care to ensure this transfer was handled in a more sensitive and appropriate manner; and will he have the air ambulance authorities publish guidelines and communicate them to the hospital administrators across Ontario to ensure this type of traumatic experience is not repeated for hospital patients and their families?

**Hon. Mr. Fontaine:** What the member for Algoma is telling me happened in my area too, last year, to a woman who was transferred from Toronto to Hearst. I will discuss this with the Minister of Health (Mr. Elston) and report back to the member tomorrow.

**Mr. Wildman:** While the minister is consulting with his colleague, will he check to determine why the air ambulance dispatch apparently was not contacted by McKellar General Hospital until last week, after my office and the community had expressed concern about this kind of transfer? Why was this not done the day the transfer was planned, as it should have been, to ensure this lady was treated as she should have been and had a proper transfer?

**Hon. Mr. Fontaine:** It is the same answer: I will check and report back tomorrow.

#### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Sterling:** I have a question for the Premier. His Attorney General (Mr. Scott) has asked the Court of Appeal whether Bill 30, to be debated this afternoon, is inconsistent with the provisions of the Constitution of Canada.

As there is an interest on the part of everyone to have this issue decided as soon as possible, and his Attorney General has admitted the issue will eventually be decided by the highest court, the Supreme Court of Canada, will the Premier reconsider his government's referral to the Court of Appeal and refer the matter directly to the Supreme Court of Canada, as I understand he is empowered to do?

**Hon. Mr. Peterson:** I just received the highest legal advice in this land, and I am told it is not possible to send that immediately to the Supreme Court of Canada. I know the member is a highly esteemed lawyer in his own regard and



he may have a different view, but I have chosen to take the counsel of the learned Attorney General on this matter and that is what he tells me.

**Mr. Sterling:** As we are debating Bill 30 in the next three days and voting on this bill, will the Premier state clearly to this Legislature that he will not use section 33 of our Constitution to opt out of the decision of the Supreme Court of Canada if he loses that decision? Will the Premier accept the decision of our highest court?

**Hon. Mr. Peterson:** I am sure my learned friend, in spite of his first question, understands the legal questions involved here. It may not be an absolute ruling one way or the other; there could be provisos built into the judgement. It could take a whole range of possibilities, of which we are aware, and we have sensibly canvassed the potential outcome.

It would be very unwise of me or the member, or anyone else for that matter, to prejudge these questions. We have set in course action that is responsible and sensible in the circumstances, and I am not prepared to sit here and prejudge what may come out of the courts after a thoughtful, independent reference.

#### AUTOMOBILE IMPORTS

**Mr. Morin-Strom:** I have a question for the Minister of Industry, Trade and Technology. Yesterday the minister made a statement on the level of imports of Japanese vehicles. Today it was reported that the South Korean automobile company Hyundai Auto Canada Inc. sold nearly 10,000 vehicles in Canada in the month of June, which at an annual rate would result in the sale of 115,000 vehicles in Canada with no requirement for investment in Canada or for Canadian content in those vehicles.

Can the minister tell us what he intends to do about the level of imports from other countries besides Japan?

**Hon. Mr. O'Neil:** I thank the member for Sault Ste. Marie for asking the question, because it is one of grave concern not only to our party but also to all other members of this Legislature. In this regard, I will be meeting with Sinclair Stevens on Friday at noon and with James Kelleher in Sault Ste. Marie on Friday evening.

As the member mentioned, Hyundai sold 9,561 cars in Canada during June; that is of concern to us. I will be bringing up this matter, as I mentioned, with the federal ministers. However, I must say Hyundai has taken a different approach from that of some of the other companies that are importing cars into Canada.

They have announced they will be building a \$25-million facility somewhere in Ontario. I am also informed, having talked to Mr. Lavelle this morning, that Hyundai is buying quite a few parts from Ontario. For those reasons, the company possibly does not fit into the same category as some of the Japanese companies.

**Mr. Morin-Strom:** I point out that Hyundai's level of imports is costing tens of thousands jobs that could be generated by auto production in Ontario. I do not think the \$25-million investment is going to produce those kinds of jobs.

**Mr. Speaker:** Question?

**Mr. Morin-Strom:** Will the minister push the federal government to ensure the general preferential tariff, which currently provides duty-free access into Canada for vehicles and parts from less-developed countries, will be taken away from countries such as South Korea so they will have to start paying some kind of duties on their imports?

**Hon. Mr. O'Neil:** I appreciate the concerns of the member. On Friday at noon and on Friday evening we will be expressing very strongly not only the concerns expressed by the member but also those that have been expressed by our Premier (Mr. Peterson) and by many members of this Legislature. I thank the member for those comments.

3:30 p.m.

**Mr. Bennett:** With respect to the automobiles built in South Korea, I understand the duty-free arrangement was by special permission of the Canadian government because South Korea is a Third World country.

Is it the minister's intention to go to Mr. Stevens and make his position abundantly clear that he is looking for immediate action in relation to South Korean cars coming into this country? Does he intend to ask that between now and the time they have their investment in place in Ontario—whenever that happens—they increase the amount of Canadian content in the automobiles being imported?

**Hon. Mr. O'Neil:** It has always been our intention to have a tie-in between the number of cars being brought into this province and Canada and the investment that is here. It is up to the member's federal counterparts, who have not been fighting hard enough to put quotas on importations to keep jobs in Ontario.

#### PETITIONS

##### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Morin:** I have a petition signed by 170 members of the Ontario Secondary School

Teachers' Federation, District 43, Carleton, concerning the extension of funding to Roman Catholic secondary schools in Ontario.

**Mr. Rowe:** I have a petition addressed to the Honourable the Lieutenant Governor petitioning the Legislature "to call on the government to seek a constitutional referral prior to any implementation and to debate fully the issue of extension prior to any implementation regarding funding of Catholic secondary schools in Ontario." It is signed by 337 constituents of the riding of Simcoe Centre.

#### DRIVING OFFENCES

**Mr. D. R. Cooke:** I have a petition concerning the acquittal of Michael Waite on a charge of criminal negligence in Guelph; it is signed by 508 constituents. The letter accompanying the petition indicates the signatories are expressing their concern and horror at the recent decision of the jury in the Michael Waite trial in Guelph.

Four teenagers involved in an innocent evening of fun were murdered by a drinking driver who said he was just out to have some fun. The jury has seen fit to convict him of a simple dangerous driving charge. The outcome of this trial is a farce—absolute lunacy. The signatories are stunned that something like this is allowed to happen within the judicial system of a province as progressive as Ontario.

The signatories are very sad when they think of the parents of the victims. They certainly must feel that the rest of the world feels their children's lives were meaningless, that no one cares. There is no logic to the fact that a conviction of armed robbery brings a much longer penalty than does the act of manslaughter.

The 508 people feel it is their obligation to demand that legislators take a good hard look at a system that allows a drinking driver to murder and walk away, possible after only one third of his two-year sentence. Something must be done now. One of our loved ones could be the next victim.

#### MOTIONS

##### COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on members' services be authorized to meet in the morning and afternoon, Wednesday, July 10, 1985.

Motion agreed to.

##### COMMITTEE COVERAGE

Hon. Mr. Nixon moved that full Hansard services be provided to the standing committee

on social development for its hearings on Bill 30 in Toronto.

Motion agreed to.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Nixon moved that the requirement for notice provided for in standing order 64(h) be waived with respect to the ballot item scheduled for debate during the first and second Thursdays of the fall sitting.

Motion agreed to.

#### INTRODUCTION OF BILL

##### PLANNING AMENDMENT ACT

Mr. Swart moved, seconded by Mr. Ramsay, first reading of Bill 33, An Act to amend the Planning Act, 1983.

Motion agreed to.

**Mr. Swart:** This bill provides a means to ensure priority in preserving Ontario's best agricultural lands for food-growing purposes. It will ensure that classes 1, 2 and 3 and specialty crop lands will be used for other than food land purposes only in extreme circumstances and thus will halt the ongoing erosion of our food land base, which has been the pattern in recent decades.

#### NOTICES OF DISSATISFACTION

**Mr. Speaker:** Before the orders of the day, I would like to inform the members that, pursuant to standing order 28, the member for Ottawa Centre (Ms. Gigantes) has given notice of her dissatisfaction with the answer to a question given by the Attorney General (Mr. Scott) and that this matter will be debated at 10:30 p.m. tonight.

Also pursuant to standing order 28, the member for Scarborough-Ellesmere (Mr. Warner) has given notice of his dissatisfaction with the answer to his question given by the Minister of Consumer and Commercial Relations (Mr. Kwinter), and that will be debated following the previous matter.

#### ORDERS OF THE DAY

##### PRIVATE BILL

Hon. Mr. Nixon moved, seconded by Hon. Mr. Conway, resolution 5:

That, due to the interruption of the consideration of private bill legislation as a result of the dissolution of the 32nd Parliament, an application for private legislation relating to Bill Pr47, An Act respecting the City of Etobicoke, be considered during the present session without the



payment of a further application fee, without publishing further notices of application and without lodging further declarations proving publication.

Motion agreed to.

3:40 p.m.

#### EDUCATION AMENDMENT ACT

Hon. Mr. Conway moved second reading of Bill 30, An Act to amend the Education Act.

**Hon. Mr. Conway:** I do not intend to make a lengthy opening statement. My remarks of last Thursday will stand in that connection. I very much look forward to hearing from all honourable members of the assembly on this important matter of public policy and will make a series of remarks at the conclusion of the debate, presumably later this week.

**Mr. Timbrell:** I want to congratulate the minister on his re-election to the assembly—I believe this will be the fourth term we have served together in this House—and on his appointment two weeks ago as minister responsible for education.

Over the 10 years we have served together we have come to know one another reasonably well. During most of the time I was Minister of Health in the Davis administration, the minister was my critic. I always found him to be a very constructive, generally positive, open-minded individual, and I hope as we proceed through second reading debate and consideration of this legislation in committee over the course of the next two or three months, that open-mindedness, that sense of fair play, that great commitment to equity in Ontario society will continue to be applied to the issues at hand. They are very difficult issues.

The principle of the bill has been supported by all three parties. I will not take the time of the House. It would be redundant to take us back over the history of the last year or 13 months or, for that matter, the last 143 years—

**Mr. Martel:** Start at 1970.

**Mr. Timbrell:** No, it is all right. I am a former history teacher. Nothing would please me more than to trace the history of the development of this issue, but I think that history is well known. I indicated last week, as had my leader previously, that we would not be obstructionist. We will not throw impediments in the way of the consideration of this bill for second reading. As a party we will be supporting the bill on second reading.

I want the minister to know, however, there are many aspects of the bill and of the issue which

trouble me and my fellow Conservative members on the committee, the member for Scarborough Centre (Mr. Davis), the member for Burlington South (Mr. Jackson) and the member for Cochrane South (Mr. Pope), and, equally and in some cases even more so, members of the Conservative caucus.

Those concerns will be expressed during this debate and they most certainly will have to be expressed and addressed during the review of Bill 30 by the standing committee on social development, whose hearings will begin next Tuesday. At that time I understand the Minister of Education (Mr. Conway) and a number of his senior staff will be in attendance to walk us through the bill clause by clause. I hope it is no omen that the light just went out over the minister.

Let me repeat the point I was making in my point of order earlier today. Before we start consideration in committee of Bill 30, I am pleased the minister committed himself today to providing us with all the drafts of the bill that have been considered in the 13 days since he became Minister of Education; all the briefs and, generally speaking, all the related materials which will be necessary for the committee and other interested parties to be aware of as we proceed.

Any concerns I will express today, and any concerns I will express and pursue during the course of the deliberations of the social development committee, will always be based on my firm conviction that whatever we do here must be seen to be fair and equitable as between the soon-to-be two publicly funded school systems, those operated by public school boards and those operated by Roman Catholic school boards. In every case the issue at hand will have to be judged against the standards of fairness and equity.

I want to talk about the first of those concerns. I am going to touch on only three or four today because I want to leave sufficient time for a great many members of the House to have their input.

The first has to do with the question of the viability and the quality of the public school system as we know it. The minister went out of his way in his remarks last Thursday on introduction of the bill to repeat commitments that had been made previously by his leader and others that the public school system's integrity, quality and viability will be protected.

A problem is that there is nothing in the legislation to give that protection. We had a quotation from an official of the Ministry of

Education last Friday or Saturday in which he stated that a sum of \$6 million is being set aside to ensure the continued quality and viability of the public education system.

I would like to hear from the minister at some point, preferably before this bill comes to a second reading vote, that should that figure of \$6 million prove to be insufficient, he will ensure that the financial regulations are passed in time to give all public school boards the necessary assurance that the money will be there to maintain the programs, facilities and, therefore, the viability and quality of the existing public school system in each of the school board jurisdictions across the province.

We are concerned about whether the minister and the Ministry of Education will give us their assurances that rather than simply using the planning and implementation commission as, potentially, a fall guy, they will accept their political responsibility to assure us there will not be duplication of programs or physical facilities in any of the school board jurisdictions.

I notice in the minister's statement and in the legislation that a great deal of emphasis is given to the planning and implementation commission, which originally was to be a temporary body when we set it up, becoming a permanent structure, almost a duplication of the bureaucracy of the ministry. We want the minister's assurance that he, the ministry and the cabinet will accept their responsibility to assure us and the public there will not be a duplication of programs or facilities, thereby weakening the two systems and becoming an unnecessary expense and burden on the taxpayers.

There is no provision in this legislation—I have looked through it very carefully, and this is why I want to see the minister's drafts—for coterminous public and Roman Catholic boards in any part of Ontario establishing consolidated school boards on local requests and by local option. This subject has been discussed for a number of years by several ministers of education with the school community. The minister is undoubtedly very nervous about broaching the subject, but it has found favour in some parts of the province, especially because they understand it would be by local option only, that it would not be imposed by the provincial government.

There are parts of the province where there may be only one high school serving an area and where they may very well find the best interests of all concerned would be served by establishing such a consolidated board. That is not in the bill. There is nothing in the bill that indicates how the

minister intends to ensure the maximum possible amount of co-operation and co-ordination among the various school authorities in their areas.

Then there is the question of accessibility. When I had a chance last Thursday after question period to sit down and quietly go through the bill from page 1 to 20, or whatever, I was amazed to find that for the first time in our history the government is proposing to impose a legislated limit on access to the public secondary school system. In all of our history, the public school system has been open to whoever came to the door.

The minister has chosen potentially to limit access to both secondary school systems. He is saying that if a non-Catholic child wants to enrol in a Roman Catholic secondary school after this bill comes into force, he or she may be prohibited from enrolling if space does not allow. In order to justify that, the minister has introduced a similar provision for the public secondary school system. That is not acceptable.

This is a subject which we will discuss a great length in committee, and I am sure many organizations representing teachers, parents, school boards and others will want to offer their views. I expect in the committee we will probably, ultimately, strike down those provisions. I expect we will ensure that the secondary school systems in this province will be equally accessible to the students of Ontario and that we will not put in place the barriers the minister has proposed.

**3:50 p.m.**

I want to give an example. Members know I used to teach—it seems like 100 years ago—at Don Mills Junior High School. In Don Mills we have a very good Roman Catholic elementary school, St. Bonaventure. In fact, a very good friend of mine, Denzil Minnan-Wong, is now the principal of that school.

When I taught at Don Mills Junior High School, as up to the present date, the funding of the separate school system ended at grade 10. For that reason it was very common for parents of Roman Catholic students in Don Mills to transfer their children to Don Mills Junior High School in grades 7, 8 or 9. In fact, when I went to teach at Don Mills Junior High School 18 years ago, we had so many children enrolled, including a great many from St. Bonaventure, that we had portables. If I understand the draft correctly, the North York board in that situation today would be able to say: "Sorry, we do not have any room. We do not want to add any more portables. You will have to go elsewhere."



I want the minister to consider the possibility that by putting this barrier in place for both secondary school systems, there will arise a situation somewhere, some day, probably very soon, where a student or students will have nowhere to go, a student or students will be denied access to both systems. Using the minister's criteria, they will not be acceptable. That provision of the bill is one I personally will speak to in greater detail when we get to committee.

I have already referred to the role of the planning and implementation commission. Let me deal with another aspect of it. In his bill the minister has outlined various roles for the commission. I believe one in particular potentially will put the public and its elected trustees to unnecessary expense and unnecessary delay. I am referring specifically to the section of the bill that provides in the case of disputes between boards that the commission is to get involved in the process, acting as a quasi-judicial body and opening up the likelihood of judicial review; but it is a process, as is outlined in the bill, that concludes with the right of appeal to the executive council.

I invite the minister to reconsider that section and to accept his and the government's political responsibility and use the commission in this kind of situation as a fact-finder only, which will report to the minister; then the minister will recommend a resolution of the dispute between boards of education to the executive council, whose decision will be final. That will put more onus on the minister and on the cabinet; however, it will also save a great many boards of education and a great many communities a lot of time and expense, because if the process as it is outlined is approved, I submit there will be cases that will go on for years once the lawyers get into the act.

I am sure the minister recognizes it is part of his responsibility to ensure that where differences between boards of education do occur, they should be cleared up as quickly and as equitably as possible. Again, is it fair and equitable? I submit that the way it is drafted is neither fair nor equitable.

On the question of teachers, I support and applaud the initiative of the minister with respect to the protection of various teachers' rights, such as seniority, pension benefits and sick days, but I am concerned about two aspects of this question. Again, I suspect the various federations will have a great deal to say about these matters when they appear before the committee.

One aspect has to do with the fact that once a secondary school teacher is designated and subsequently hired by the coterminous separate board, that teacher is protected against discriminatory practices with respect to promotion and all other matters. As I understand subclauses 19 and 20 of the bill, that protection will go on in perpetuity. There is a 10-year period during which teachers must be designated and therefore taken up by the local separate school board and afforded these protections, which will go on in perpetuity.

The bill says nothing about providing those same levels of protection against discriminatory hiring, promotion or firing practices for the other teachers who are employees of those boards, whether they be Catholic or non-Catholic. It says nothing about affording them to other teachers who will be hired, again be they Catholic or not.

This is an issue I invite the minister to consider and perhaps speak to when he appears before the committee next Tuesday. I am sure it is an issue that will raised by a variety of special interest groups that will appear before that committee.

My second concern has to do with elementary teachers. I have not seen this matter addressed to date by any of the various groups that have written to me. I want to suggest to the minister there will likely be an instance or instances in which elementary school teachers will also be made redundant in their present places of employment because of a larger-than-anticipated shift of enrolment within a particular school board jurisdiction.

The bill does not speak to that. I believe we should consider that, or at least extract from the minister some assurance that, in the event this sort of thing did occur, he would personally intervene to ensure the teachers affected would be protected.

One last minor issue: the bill indicates that, where a Roman Catholic school board elects to participate under this program, the separate school representatives on the coterminous public school boards will cease to be members of those boards as of January 1 in the year following the election by the separate school board. That is a complicated way of saying if the Frontenac-Addington board elects to involve itself in the program today, the separate school representatives on the Frontenac-Addington public school board would cease to be members on January 1.

We now have 38 or 39 plans approved. The way the bill is currently drafted—and I have discussed this with several people—my understanding is certain people who are going to have

to stand for election on November 12 as separate school representatives on the various public school boards will then be out of a job on January 1. It does not make any sense. It is not fair or equitable to those people. When we get into committee, I invite the minister to consider rolling that back to perhaps November 1, which would be a date prior to the election in any year in which municipal elections are held.

There is no subject about which the members of this House, of whatever party, have heard more from the public over the course of the last 13 months. We are going to hear a great deal more. The member for Scarborough West (Mr. R. F. Johnston), who is the chairman of the standing committee on social development, will be going before the Board of Internal Economy—or the board of infernal economy as we used to call it when I was in government—within the next five or six days with a fairly hefty budget, based on 12 weeks of hearings, three of them on the road. This is the new triparty road gang. Even the 12-week estimate may be conservative; it may take longer. The government has assured us we have whatever length of time we require inasmuch as it has referred the matter to the Supreme Court. That is something to which perhaps some of my colleagues will speak later.

#### 4 p.m.

I go back to my opening remarks. Recognizing there are so many concerns on this issue, not just from my colleagues or the minister's colleagues in his own or the New Democratic Party but from many people in the public such as private citizens, representatives of various professional and special interest organizations, I hope the minister will bring to this task the kind of approach that has typified my association with him over the years, which is very fair, honest and open-minded.

I hope he will be prepared to accept amendments to his legislation from the committee, which will ultimately ensure the new system of education in Ontario, in which we will have two publicly funded secondary school systems—two publicly funded education systems—will be completely fair and equitable in every community to every student, teacher and parent.

**Mr. Allen:** It is with a sense of the importance of the occasion—a very historic bill is before us—that I rise to speak in this second reading debate and state this party stands committed to the principle it enshrines.

I was surprised to see the minister did not make a more extensive initial statement. I would have thought that beginning the debate on this of all

bills would have called for that kind of statement. I am sure he will have a very substantial conclusion for us, which will make entirely clear to this House and the public of this province why his government has chosen to propose this legislation for consideration and adoption.

I must say I am equally astonished at the remarks that were made by the critic for the official opposition. To my mind, that was not a second reading speech on the principles of this bill. After 13 months, I think the time has come when it is important for our parties, all of us, to say to the public how it is we have arrived at this position; not only why we as parties have done so, but also how we view the public circumstances surrounding education in Ontario, given the long history of that subject, as requiring this now.

I did not hear anything from the Conservative critic in this House as to why 13 months ago, the former Premier, William Grenville Davis, chose to finally lay this issue before this province as a matter for realistic debate and legislative possibility. We all know where that past Premier stood on this subject some years ago. None of us had the benefit of the Conservative Party exercising its mind in the interval and coming gradually to a conclusion with respect to the importance of extending funding. Thirteen months ago, none of us, not even the caucus, the ministry nor the cabinet, was aware of what was about to happen. Of all the parties in this House, it is surely the Conservative Party that needs to do some explaining about how it got where it is, and the job was surely that of the critic.

Essentially, I was surprised to hear a committee kind of discussion, looking at a number of the particulars in the bill, raising some concerns about this and that, which obviously will preoccupy us. They are important issues, I am not denying that, but they were questions which really were proper at a subsequent stage of consideration. I still look forward at some point to hearing the member affirm the principle of this bill in clear terms and to hearing him give us some explanation as to why it is important from his party's point of view to take this step at this time. I think he and his party owe that to all of us.

I must say it is with a certain relief that I finally find myself speaking on this subject in this Legislature. We have all had it thrown up to us time and again, almost week in and week out, month in and month out over the past 13 months that we were not engaging in debate, that we were not explaining ourselves and that we were not discussing what we were proposing to do.



While I do not for a moment agree that in actual fact there was no discussion, no debate and no consultation during those months, none the less those charges were important ones and a real disturbance was raised in the public by the difficulty that was posed for a political system in arousing that kind of debate and in enabling that kind of consultation and that form of discussion to take place when three parties had come to a single agreement.

It is very important for us to recognize that it was sensed as real and was felt as real by the Ontario public and by the people most immediately concerned; namely the teachers, parents, students and school trustees. We must never forget that.

None the less, it is not true that there was no discussion, no debate and no consultation taking place. There was the activity of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario that held hearings around the province. There was the work of the press which would not let the subject die. That is to its credit; that is its job. There were the responses of many of us to the press, although the media did not always seem to think our answers were substantial justification for what we were doing. Again, that is their privilege. None the less, that process was there.

There was the election campaign. While it has been charged that this was not a subject of central focus of the campaign, none the less it remains true that every member to whom I have talked went through a considerable process of debate and discussion in the midst of that campaign, not only at the doorstep but also in formal meetings at which it was raised as a central feature of debate. The issues were laid out, the contest was there and the answers had to be given. All of us tried to give them as best we could.

In the weeks subsequent to that, there has been constant, unending discussion, until we now find ourselves rising formally at last to explain ourselves. I think it is extremely important that we do so. It is important to ask how it is we find ourselves, at this time in Ontario, in the middle of the 1980s, extending a confessional system in Ontario and completing it as part of a public system of public education.

One could rehearse the dates. One could go back to the first public funding of separate schools in 1841, to the elaborating of that principle in 1863, to the constitutional entrenching of it in 1867. One could go to the somewhat equal legislation of 1871 setting up a public high

school system in this province without being entirely clear as to whether separate school extensions were a legitimate part of that. One could go to 1899 and to the legislation that legally entrenched the offering of grades 9 and 10 by separate schools. One could go to 1908 and the further extension and legitimization of that.

On the other hand, one could go to events such as the Tiny township case of 1928 in which the attempt to settle the separate system by extending it to the final years of secondary schooling, grades 11, 12 and 13, was rebuffed. However, one would have to observe at that moment in history that the judgements were rather curious.

On the one hand, the Ontario panel of judges was split 10 to 3-10 Protestant and three Catholic. Then there was a Supreme Court reference in which the judges were equally divided. After a reference to the judicial committee of the Privy Council, Viscount Haldane decided against the extension. However, the Chief Justice of the Supreme Court of Canada was one of the members of the panel who was in favour of the extension and the constitutional right of completion of the Catholic system.

**4:10 p.m.**

Judgements such as those, in some respects are not very helpful. In effect they are part of the problem rather than of the solution.

In 1978 the new weighting was given to separate school funding for grades 9 and 10. Now grades 9 and 10 were being offered in the same way as elementary levels, and also in terms of funds that increasingly approached those of the secondary school system.

There is a strange story here. On one hand there is a pattern of progressive and constant elaboration and extension with few real setbacks, finally culminating in our own exercise today. On the other hand, there is also in that history in Ontario a process of impediment, of opposition. There has been a refusal to face the necessary and logical conclusion of the compact in 1841 and, in particular, in 1867. I refer to the time when Ontario and Quebec, or Upper Canada and Lower Canada—name them as you will—Canada West and Canada East, came to an understanding that if there were to be Protestant schools in Lower Canada there would be Catholic public schools in Upper Canada.

The Constitution of 1867 makes it plain that the privileges that are accorded to the Protestant system in Quebec were to be those of the Catholic system in Upper Canada or now in Ontario. However, one must recognize that those privi-

leges were not offered in the same measure in this province as they were in Lower Canada.

Another province, namely New Brunswick, moved quickly to end those educational practices established by law which the Constitution of 1867 was supposed to guarantee. The Catholics of New Brunswick looked to the Catholics of Quebec and their power within Confederation to impede a Protestant majority from overriding their school system. In New Brunswick, the Catholic majority was unable to act because it felt itself encumbered by the Anglo-Protestant majority of the nation as a whole. It did not move in to defend itself as the Fathers of Confederation had understood the balancing act would effect.

The result of being a double minority within a confederal system has afflicted the Catholics of various provinces, not just our own. But it certainly has afflicted our own and it has impeded the completion of a system which should have been completed long since, in my opinion and in this party's opinion. We could now be moving on to other levels of debate in education which would be much more helpful and useful for all of us to be engaging in.

When this party began in 1969 to reconsider its position on this matter, there were a number of very prominent issues we had to address and which ultimately convinced us of the need to change our party's policy. We noticed, for one thing, that through those 144 years I have sketched so briefly, the legislators and the public in Ontario have accepted and legitimized the steady expansion of the Roman Catholic separate school system.

We concluded that if that kind of legitimacy existed over time, what ground really was there for us to say any more that there was some reason to refuse to complete the system. We could not find it in ourselves to discover the logic that could confront that history.

There were other matters which impressed us, perhaps because of not having looked as closely as we should have at the system. We discovered the range of public accountability that existed in that other public system. We knew there were elected Catholic school boards; we knew there was a public taxation assessment base; we knew there was a requirement of public teacher certification; that the school system followed all the guidelines of the ministry and accepted its supervision.

We knew there was a whole system and structure of public accountability that lay around it which constituted it as a legitimate public system that required and justified public support.

As a result of looking at all that history and the fact of public accountability in the structure, we could not conclude that this was a public system that was going to go away. If this system of education was not going to go away, inasmuch as it was a system that tutored some 500,000 Ontario children and was the choice of about one third of our population, the only choice we had, in order to do justice to it as a system attempting to accomplish its educational task and to do justice to the children it served, was to engage in full and complete funding.

We had some other concerns. We noticed when we looked at that system that throughout its history to an unusual degree it had served large numbers of the less advantaged of the Ontario community. Whether going back to its beginnings and its struggling attempts to serve the immigrant Irish poor of the 19th century, or looking at the numbers of post-Second World War immigrants enrolled in the system or looking at its broad service to the working classes of most cities and to the people of the north and the east, one has to conclude that here was a system that was serving those who needed education most and was often doing it with limited resources.

How could we, as representatives of the Ontario public, not conclude that it should have full and complete resources to do that task properly? We also concluded that a system that had the support of a third of the Ontario public and that educated nearly 500,000 of its children could hardly be ignored. The reasons that persuaded us were also apparently the reasons that persuaded an ecumenical body in 1970, which at that time included Archbishop Gerns-worthy and other Protestant leaders who are now speaking on this subject, to write some very interesting words about this proposal. I would like to read them.

"One point on which we are particularly ready to support separate school authorities is in their plea to be treated as equals in educational planning. They are as assiduous for the welfare of the future citizens of Ontario committed to their charge as are the authorities of the public system and ask to be recognized as such.

"Our support of the Roman Catholic brief will be misinterpreted if it is taken to mean endorsement of the fragmentation of education. Unity in diversity is a viable possibility. Both church and society are not necessarily weakened by plurality. By constitution we do have two public education systems. We, therefore, are not urging



separation but simply recognizing the dual system we thought we already had.

"In the end, we can only say that we feel clearly that both justice and prudence require us to support the basic stance of Equality in Education—the document they were referring to—"and that we regard the relatively added cost as something of a debt of honour."

Would that I could hear those same words from those same gentlemen today. It would become them well to repeat them.

**4:20 p.m.**

One of the points they make as the final point of consideration that led this party to adopt the policy it did in the period 1969-71 was the question of unity in diversity. One thing that struck us as we tried to wrestle with the existing separate system was that we confronted in Ontario an immense minority that insisted on grounding its approach to education on a certain matter of principle.

The more we looked at the Ontario community, the more we discovered that there were growing within it principled bodies of a variety of character and that somehow it was necessary—although I think we still have not worked our way through that and I do not think this province has worked its way through it—to respond in new ways to the communities of principle that exist in our society. It was necessary to recognize their activities and their presence as principled communities, as a healthy and proper contribution to the making and development of Ontario and its future.

Unless we were prepared and could find some real ground to say that in the case of the Catholic community and its interest in having its own school system that was illegitimate, we found ourselves on very difficult ground in saying that it was wrong to extend funding to the system on an equal basis and to complete the system as it stood through the remaining years of the school system.

For a number of reasons, which I must say it took our party some time to digest, we therefore made a historic move in our policy posture in this respect. We concluded, and have stated ever since and continue to state, that the only part of justice that is important to us in this respect and overrides everything else must be the completion of that system.

When we say that, we realize we are speaking in the context of 1985, which is somewhat changed from that of 1971. From our point of view, we recognize it would have been better to have moved in 1971 when it looked as though we

had a potential accord on this subject. At that time, the school systems were expanding; we could have absorbed this change much more readily.

None the less, it is better that justice be done some time, even if it is inconvenient, than that it not be done at all. Having taken the conclusion that we have, we have been consistent in arguing that when that became possible in our own time, in 1984-85, we should proceed. However, we recognized the public system—the public public system, if you like—was in some trouble with declining enrolments and problems such as teacher security, which have been created by the immediate past government in its reduced commitment to spending on public educational matters.

It is perhaps in that respect that I should respond to one of the comments of the Conservative critic on the whole question of space. Of course space must not be a reason for denying educational right, and in so far as this bill makes it possible to deny that right on the grounds of space, that will have to be altered.

None the less, it is important for us to recognize why space is even offered as an argument for refusing access. Last fall, when the Roman Catholic system in Metropolitan Toronto said there was no more space, it was for a very good reason: there was no more space. Not only was there no more space, but also there was no more money for portables and for other new space that would be necessary, because it could not get the capital money from the government to expand to new facilities.

The physical needs of the system have to be recognized. If we are going to meet the needs of the cost of special education programs in the system this fall and if we are going to meet the needs of the public system in so many other ways in which it is needful, so it must be with respect to the question of space. If we are going to insist that space should not be a criterion for access, we are going to have to say the money will have to be there to provide the facilities, to provide the space, so the argument cannot even legitimately be used.

It is going to be important for the present minister to address that problem, among the many problems of underfunding of the public system that currently exist, to assure all our friends in every rank of the public school system that they are not going to be ignored or hurt by this process of completion of the Catholic system.

There have been a number of objections that one could rehearse at some length. I do not want to dwell on them. There have been objections to the style of implementation, and we have certainly had our own objections to that. There have been concerns about the impact on the public system as I have just alluded to them. Not only was it not the best time to move in that respect, but also there were some very particular questions that had to do with teachers' security, the security of workers in the system and our own instant reaction in this party.

Within two weeks of the announcement by the then Premier, we passed a resolution at our convention in Hamilton last June in which we made it very clear that any legislation on this subject would have to guarantee the security of tenure of teachers in the public system. It appears to me that by the work of the implementation commission and by this bill, that problem has been resolved for the most part.

I am happy to hear reports that no teacher has so far been laid off in the public secondary system this year. One hopes the use of the designated list and the tenure of security that is offered in perpetuity to secondary public school teachers will be effective in maintaining that kind of record.

I have not heard quite so much by way of attention, nor of report, as to the impact upon other workers in the public system. I want to have a close look at that, as I am sure will the committee, before we conclude that we are in agreement with the passages in the bill with respect to teacher and worker security.

There remain some problems in this bill on the whole question of discrimination. This is a very ticklish and delicate subject. In facing this issue itself, the Ontario Human Rights Commission had to reach a certain compromise. On the one hand, there was the historic and constitutional right of an existing school system to exist. It was obvious and logical that there must be some means to maintain them and that they would be constitutionally guaranteed. One of those means was the hiring principally of Catholic teachers.

On the other hand, one has to confess a good deal of restiveness and unhappiness at the way in which that is used, from place to place and from time to time, to intrude upon what one must consider to be the private decisions of teachers, whether Catholic or not, within the system. We will want to look at that in a general way.

In more particular terms, where the legislation refers to nondiscrimination by virtue of creed for teachers coming into the system from the

designated list, we will want to see some more ample expression there that also includes questions of lifestyle and that creed does extend through to lifestyle in those matters. For example, we will want to be sure that where the hiring provisions of this legislation apply, they apply with some degree of conformity and rigour with the existing contract protection that teachers have in either system. That is a matter of wording in some cases, but we will have to pay some attention to that.

We are concerned that where schools transfer en bloc, due care is taken that students and parents of students who find themselves in another system are protected by those nondiscrimination clauses that appear in the legislation for teachers and for other students.

We will also want to see some amendment with respect to what is meant by "religious education." Exemption from religious education must clearly be extended into religious observance and the practice of the sacraments. I am very mindful that it is a standing position of the Catholic church itself that sacraments will not be administered to those who are not confessing members of that church. I would not think that to be a problem normally, but it should be in the legislation to remove all doubt.

**4:30 p.m.**

There have been other objections with regard to student access, to which I have already referred. I am glad to see that the bill, for the most part, has done that on a nondiscriminatory basis. There may still be some question as to whether it is possible for a student to find himself legitimately in that system but somehow being required against his or her parents' will to take religious education. All doubt must be removed with regard to that.

There have been objections about the stimulus this will give to private schools demanding public funding. I do not think they have needed this occasion to get them on that track. They have been there for some time. We have been aware of that. We have all had to respond to it. It is not new. At the same time, if we have been opposed to that in the past, we all have to recognize that the charter itself may put us into some difficulty as we turn to wrestle with any charter decision that might give legitimacy to the claims for public funding on the part of private schools.

The charter notwithstanding, our party insists that, by definition, systems of education that lack structures of public accountability cannot be given public moneys. In that sense, we insist that private schools are not candidates.



None of these objections is insurmountable. As the legislation makes clear, a good many of them are already well on the way to being well and truly surmounted. The consultation is taking place. The concerns of teachers and students are being substantially addressed. The viability in single-school communities is being addressed; on that point, the legislation is notably weak, and we will want to see something more specific.

One of the major debates has hung on the question of constitutionality. While we are not going to resolve that in this debate on second reading or in the committee hearings that will follow, it is a matter of supreme importance. It is not uncommon for legal challenges and constitutional references to accompany legislation, for those processes to proceed at one time. For a Legislature to concede it should cease action while a legal challenge or constitutional reference takes place is to hamstring itself beyond all reason. There could be few surer ways to neuter this assembly.

The judgement to proceed in a case in which there is a constitutional question must be based upon reasonable assurance that the matter is within the powers of this Legislature and is not in conflict with the British North America Act or the charter. Those of us who have proceeded have taken some trouble to assure ourselves that is reasonably the case. That will not be settled until there is a court reference and the judgement is completed, perhaps finally in the Supreme Court of Canada.

None the less, to me and to us in this party, it is inconceivable that one third of the population of Ontario should be denied the right to public support of a complete educational system of its choice, a system already grounded in the constitution and law and accompanied by public accountability structures such as I have described, simply because of its religious persuasion. I think the judgement Mr. Robinette has offered the public on this can be turned quite legitimately on its head, and this has been done by other constitutional lawyers. The case is certainly as persuasive on one side as the other, and we will await the decision of the court.

This party certainly concedes the wisdom and importance of a court reference so as to remove all doubts about constitutionality, but we consider the implementation process has proceeded so far that it would be risking more in the way of chaos and harm in this procedure to fail to continue at this point than would happen if the whole matter were drawn to a halt.

We support the minister in his proposal for proceeding in September. The word "decree" has been used with respect to it. I think the course he has chosen is a proceeding that has accompanied the expansion of funding to the separate system and its expansion in recent years. I refer in particular to the 1978 improvements in the weighting factors, which were done under the legislation that governs the regulations concerning legislative grants in education. Nobody protested then that those grants were being improved by that device, and that is what is being proceeded with at this point. None the less, one has to admit it is an expedient one would rather not have had to resort to. But one has to judge, and we certainly did, that it was necessary in the circumstances and that it is consistent with past practice.

With regard to the legislation itself, I do not want to engage in clause-by-clause consideration of the legislation now. I have pointed to some of the points in which we think there are remaining weaknesses in the legislation. It is not surprising to us that this should be so, given the space of time the minister and the new ministry have had to bring it before us.

All of us would have preferred to have been reviewing this legislation six months ago. Then we would have had the time to engage in those lengthy hearings which would have made it possible for us to have completed the legislative process before September had come upon us. Finding ourselves where we are and committing ourselves to hearings throughout the province over the next eight to 12 weeks, or however long it is necessary to hear everybody who wants to be heard, I think it is possible for us to proceed on this agenda in an orderly way. We can attempt to meet as many of the objections as we possibly can as we proceed on a course that we feel finally does justice to a community in Ontario which has fought so hard over the years for its educational rights, which has had them frustrated in so many respects and which now stands at the point of a completion of its system.

I am happy to be supporting this legislation which will accomplish that. I look forward to the minister and the ministry bringing to us, in very short order, those funding recommendations and those programs which will move in on the remaining problems that exist in the major sector of public education in this province. Then the educational system of this Ontario may be, as so many of the past ministers on the other side, Conservative in persuasion, told us so often, the

very best that exists anywhere in any jurisdiction, not only in North America but also in the world.

**Mr. Callahan:** A lot has been said. In view of that, there is not a great deal more that can really be said. However, I would like to address a few issues.

To begin with, during the election campaign, I attended a number of meetings that were held in connection with this issue. One of them, an excellent meeting, was run by the United Church of Canada. It had experts from every area of concern who I thought addressed the issues quite logically. The only concern I heard during that entire panel discussion was the question of teachers' jobs. It struck me, as a reasonable person, that this was a reasonable concern. I suggest that has been addressed in the bill.

From then on, there were various other suggestions made, such as the constitutionality of the bill. If one looks at section 29 of the Charter of Rights and Freedoms, there clearly is preserved therein the rights that were guaranteed by section 93 of the British North America Act. The section reads: "Nothing in this charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of Canada in respect of denominational, separate or dissentient schools." It seems to me that section clearly preserves the rights that were enshrined in the British North America Act in favour of separate schools.

**4:40 p.m.**

I suppose it boils down to the question of what was protected at that time and what is now. I would suggest that was one of the issues put forward as the reason the introduction of this legislation should be delayed, to the detriment of more than 6,000 children. It was not going to be implemented as of September 1.

I would submit this government, with the very significant hard work of the Minister of Education, brought forward a bill that addressed all the issues. In addition, there was added to that the guarantee the matter would be referred to the Court of Appeal as quickly as possible and that we would look for a result from them some time in December.

I would submit the matters were addressed. Without leaving it at that, we were fair enough to leave it open for hearings as long as necessary to allow the public to continue to have input into the legislation and the procedure.

One other thing that has been forgotten is that everyone talks about this as being something extra. It is really a completion. It is really justice being fulfilled. It is not something additional.

I wonder whether the Alberta Legislature was required to go through the terrific debate we are going through with regard to the funding of separate schools in that jurisdiction. I wonder whether the Saskatchewan Legislature was required to do that. We know Quebec was guaranteed the same rights as Ontario under the British North America Act.

I would suggest there are some other interesting features in the provinces I have just mentioned, in that the provincial compared to municipal funding of those schools is very much higher than it was in Ontario as of the defeat of the previous government. Alberta is 65 per cent provincial, 30 per cent municipal. Saskatchewan is in excess of 52 per cent provincial and 44 per cent municipal. It is 95 per cent provincial in Quebec and five per cent municipal. Certainly there the funding was not being eroded, as was the situation under the previous government here.

That was perhaps one of the reasons the separate school system became so attractive. It was because of things such as uniforms that children were required to wear during the nonfunded years. I really do not understand what this tremendous rush to the separate school system envisaged by everyone is going to be, except perhaps in areas where there is not accessibility.

However, I would suggest the issue itself is being placed at a higher degree of significance than it may prove to be after all is said and done. The issues that had to and will be addressed or will be looked at in the public hearings should adequately cover the particular situation.

Having said all that, I would suggest it is quite obvious, at least from the statements made by the various speakers in this House, and also those made on earlier occasions, during the election and even prior to it, that there is general consensus that this legislation is just and approved. One would think we would not have to debate too fully on the question of whether second reading should be passed. I find it difficult to believe there is anyone in this House who would consider it should not be, considering we are all on public record as favouring the particular legislation.

It concerned me a bit during the failing days of the Conservative government that although it made seven drafts of the legislation available to the Ontario Secondary School Teachers' Federation, the legislation was not available to the House to allow the House the opportunity to review it.



When I reflected on this and first heard about the former Premier's comments back in June, my immediate concern was that this matter would not reduce itself to the level of getting into something other than the mechanics and equities. I hope we will continue to approach it on that level and that the major concern will be that of quality education for the children. I think that is the nub of the entire issue.

In commenting on the particulars of the legislation itself, in my reading of the bill, contrary perhaps to the member for Don Mills (Mr. Timbrell), I consider it approaches all those issues and deals with them in a fair fashion. I am going to be voting in favour of the bill and I appreciate the opportunity to speak in favour of it.

**Mr. Davis:** Many members of this Legislature have articulated the sentiment that there are few issues in today's society which have the potential of creating misunderstanding and fanning the flames of prejudice as does the issue before this House on the extension of funding to the separate schools of this province.

One recognizes that the issue cannot be resolved by avoiding it. Thus, I welcome the opportunity for debate and of a forum for the citizens of this province and other interest groups to share with us their concerns so that, if required, we can make the necessary changes in the legislation to address their concerns.

I indicated previously that the extension of the funding legislation must enshrine criteria I believe are the essence of public education in this province and must continue the historical spirit of Ontario's educational philosophy of equal educational opportunity for every child in this province.

To that end, legislation must, in my humble opinion, first and foremost, as articulated by William Davis in his statement of June 12, then later by the Liberal Minister of Education and by our new Premier (Mr. Peterson), protect the viability of the public secondary school system and the public educational system of this province.

Secondly, teachers must be assured in legislation of job protection with all the rights and privileges they now enjoy in the public system. I would maintain that there must be free accessibility for all students to both systems, public and separate. Finally, the additional costs connected with this extension will not be derived at the expense of the taxpayers of this province.

In the 1800s, Ryerson's stand on the issue of universal access was radical, but I would suggest

to this House it was no more radical than the present suggestion that a school system supported by public tax dollars explicitly implies that children, regardless of creed, should have an absolute right to attend. I was taken aback and appalled when the present Minister of Education and his government recommended in the new legislation that a parallel, restrictive clause of accessibility based on the availability of space be implemented by the public schools.

This government, by the stroke of a pen, has removed the hallmark of public education in this province, which has been a policy of open accessibility to all students. This restrictive clause for accessibility could unjustly and unfairly, if carried to the ultimate end, place a student in the no-man's land of education, since conceivably neither educational system could accommodate the student. I strongly suggest this is totally unacceptable.

**4:50 p.m.**

The enunciation of the government in its third principle of the proposed new legislation, that the interest of students in all our schools must be first and foremost is, in light of clauses 136(2)(a) and 136(2)(b), not only hollow and shallow, but misleading and destructive to some students in this province.

It is a truism that major changes in public policy are never achieved without discussion and accommodation, and rarely without controversy. I would suggest that an attitude of compromise and accommodation will be necessary to implement this legislation with the least amount of hurt and mistrust.

To that end, I would strongly suggest, through the process of dialogue and consultation, we re-examine the issue of total accessibility for any student who applies to either system. I would suggest, as Cardinal Carter has indicated his feelings in the case of a non-Catholic student being exempt from religious studies, accessibility will not destroy the ethos of the separate school system.

Even under the proposed legislation, public school teachers and nonteaching staff still have grave concerns regarding employment opportunities and job protection in the separate school system. I have examined the legislation and I find the process of declaring a teacher surplus and steps for obtaining employment in separate schools are, to say the least, fuzzy. It suggests a list of all surplus teachers is presented to the planning and implementation committee, which in turn gives it to the separate school boards, from which to fill new teaching positions.

The legislation fails to indicate how the separate school boards will make selections of the required staff. Must a teacher in Toronto transfer to Sudbury if that is the only vacancy for which he or she qualifies? Furthermore, the confusion of the legislation is noted when a public school board cannot terminate the employment of a person designated surplus until he or she is employed by a Roman Catholic board.

Questions such as the following arise: Does the public board continue to pay a salary even though the position no longer exists? Does the teacher go into the classroom, thus negating collective agreements? Does the teacher remain at home? How long must a public board assume responsibility for this dislocated person?

I believe this area must be refined to ensure the protection of teachers. Will this government amend the legislation to ensure that public school teachers will have an ironclad guarantee they will be hired, promoted and evaluated on a non-discriminatory basis? Will this government protect the rights and privileges that public education teachers now have when they transfer over to the separate schools?

The cost of the extension of the separate schools is also foggy and confused. The figures range from \$40 million to \$80 million in the first year, to \$260 million to \$340 million over the first three years, with an ongoing cost of \$150 million. To the government that is priding itself on an open and accessible philosophy, I would respectfully request they inform this House and the residents of Ontario as to their proposals for acquiring the additional funding without inflicting more hardships by increasing education taxes.

Will the present government follow the lead of the Hepburn government, which made amendments to the Assessment Act to adjust the division of corporate taxes between public and separate schools; or will it implement the Martin proposal of pooling the industrial-commercial assessment of this province, thus effectively controlling 80 per cent of education funding? Will this government indicate how it proposes to fund the costs associated with the extension of separate schools?

The former Premier, William Davis, stated in his address of June 12, "We must not undertake a course of action that by its nature or its execution would cripple or limit the viability of our nondenominational public school system."

A report in the *Globe and Mail* stated: "The commission on implementation came back to two central problems, one of which is how to

reconcile the expansion of the Catholic school system in areas where the public system will clearly be put in jeopardy by the expansion."

The Ontario high school principals have noted that financing separate schools in certain areas will inevitably restrict programs in the public school system. Programs that could be axed would be music, art, industrial shops and new technology. However, it is the position of the Progressive Conservative Party that we must protect the public education system as announced by the Honourable William Davis, a public education system that is accessible to all and universally supported and that will always remain the cornerstone of our educational system.

He further stated in his address of June 12 that to protect our public educational system, while assuming some costs which are now carried privately by Roman Catholic families, will require additional public funding. Will the government incorporate into its proposed legislation a guarantee to the public taxpayers that the present level of services and programs delivered to students of secondary schools will be maintained and not eroded to some common denominator? Will this government enact legislation to provide the necessary funding to ensure this level of support for all public educational jurisdictions in this province regardless of pupil enrolment?

I believe anything less will destroy the spirit of the Honourable William Davis's policy and is in direct opposition to the intent and public position of the new Premier, who has stated:

"The fundamental concern for every citizen in Ontario is the preservation of the quality of the educational system. I have made a commitment to Ontario that education will be my government's number one priority. I have given assurance that my government will pay the greatest attention to the needs of teachers, students, concerned parents and school boards."

I now ask the Premier if he will ensure this commitment by placing in the new legislation a guarantee of programs and services at present afforded students in the public system and provide for the adequate funding of these programs, services and new educational initiatives.

I will conclude with these words expressed by Cardinal Carter and some 650 Catholic school trustees and their spouses: "We will work for unity. We will work for healing. We will work for the total community." In that spirit, I believe we have an opportunity now to resolve this difficult issue and move onward in the harmoni-



ous and progressive development of our province.

**Mr. Warner:** Before starting, I would like to pass along a couple of notes of appreciation to the member for Scarborough Centre, who has just concluded his remarks. Members may know that the member for Scarborough Centre has had a distinguished career on the school board in Scarborough. He was the chairman of that board for many years and is extremely knowledgeable about the issues of modern education.

I think the contribution by that member today indicates in general the tone of this debate. I do not think it is any secret that the member had a lot of reservations about the principle of the extension of funding. Yet he could rise in his place and offer constructive criticism aimed at improvement and at the same time support the principle of the bill. I applaud him for that.

**5 p.m.**

This is an historic debate. Because it is, it requires from the members of this assembly a different kind of effort to what we normally see here. If I could step back for a moment, yesterday I engaged in verbal battle with the minister over the question of the sale of South African wines in the stores and I will continue that debate this evening. This afternoon is the time for a different approach, a constructive approach, one where we can air our opinions, our beliefs and our suggestions without rancour and without looking out for our own political, partisan hides. I think that is important.

The last historic debate in which I had the privilege to participate in this assembly was on the Confederation question. That was an occasion when the members rose above their individual concerns and found it possible to enter into a highly intelligent debate where views were exchanged and something very positive came out of it. When the debate was over, the members were pleased with their contribution and with the final results.

This Legislature has determined to do a couple of very significant things. It is going to hold public hearings throughout the province. It is going to listen to the people of Ontario on an issue that is one of the most sensitive it has had to deal with for some time. The moment one begins to mix religion with anything, one evokes an emotional response; there is no question about that. The moment one suggests change in any major way, one evokes an emotional response. As politicians, we are aware that generally people do not like change. The more suddenly it comes and the more surprised they are by it, the

more disconcerted they are and the more likely they are to respond in a defensive way.

It is our job to assure the people of Ontario that we still have a deep and strong commitment to public education. If anything, the end result of this process will be a much strengthened public education system. I do not want the members to misconstrue and think I am casting aspersions on the previous regime. It did the job the way it saw fit. History will judge whether that was good or bad.

We now have an opportunity to move forward and strengthen our system. I am sure we will, but only if we are prepared to co-operate and listen to some imaginative ideas. The member who spoke previously mentioned pooling industrial-commercial assessment. That is one suggestion; there will be many more. The reason is obvious. In a modern society such as ours we probably treasure two major areas above all else, our health care system and our educational system. They are measures of how progressive our society is.

Are we able to structure an educational system that is universal in nature and meets the individual needs, not just of the students, those who are of school age, but also of all people? Are we able to provide a universal health care system? Those are the major expenditures of every government in the land.

When we look at a major change in our educational system, we are also looking at a major commitment of dollars. Everyone understands that. That should not frighten us. It probably says in a very strong way that we have a deeper commitment to provide quality education for all our citizens because we are prepared to spend the dollars required. That may mean the government has to take a look at its spending priorities, I understand that; or it may in its wisdom decide it has to raise more money. That is the government's choice.

We have decided to have legislation and we have decided on a referral to the court. I want to touch on that matter for a few moments because I have some concerns about court referrals. I am not opposed to referring this matter or any other matter to the court. What I am concerned about was the suggestion that the matter be referred to the court first. Quite frankly, this suggestion was made by many citizens, even by some of my constituents and I am sure some of the minister's.

That troubles me because in a sense, if we think about it, we would be allowing the courts to second-guess our business and, in my understanding, that is not the way the British

parliamentary system works. We debate a matter, whether it is the separate school issue or seat-belt legislation or you name it. We debate it here; we make a decision; we conclude the legislation. Then if an individual or a group wishes to question that decision in the courts, they have the right to do so. That is the system.

If you tamper with that, I think you create inertia in the Legislature whereby the Legislature is reluctant to pass anything without prejudging how the courts will view it. I suggest that would be regressive. That is not our parliamentary system, it is not the way in which it was meant to perform and, if I understand the government's position on this, I think it will have second reading and hearings and then delay third reading until a court decision, which is a very sensible way to proceed.

We will have decided at that point, at the end of the hearings and reporting back to the House, on the final format we wish this legislation to take and at that point we will await the decision of the court.

I am pleased the government has decided to take that process instead of reversing it, because the reversal, I suggest, would go beyond this issue of funding the separate schools and might be an albatross that we would have to live with for many years to come.

As far as I am concerned, this legislation should be placed in the context of funding levels for public education, in equality of funding level for both the Catholic school system and the non-Catholic school system, and there should and must be a shift away from the property tax as a way to pay for education and back to general revenues.

I think the people of Ontario do not deserve to have continued tax pressure put upon them. Quite frankly, they are reaching the point of breaking. By way of absurd example, we know that now, on paper, the city of Toronto owes money to Ontario. They do not receive a penny from the province for education, not a penny, and, on paper, the city owes money back. That is ridiculous. The city of Toronto is collecting 100 per cent of the cost of education from property tax and I suggest that is wrong.

We have to set a goal. I can say my goal is for 60 per cent of the total funding to come from general revenues, but at some point the government has to indicate its goal and how it wishes to achieve that goal.

**5:10 p.m.**

In a funny way, although the issue itself is somewhat complicated and fairly complex, it boils down to three principal choices, only three.

The first choice is that we could turn the clock back 140 years and say there should not be a publicly funded Roman Catholic school system. We can decide to erase the provisions in the British North America Act and the provisions in our Charter of Rights and Freedoms. We can simply say a mistake was made in the 1840s and we are going to erase that mistake.

The second choice would be to pretend that education in a modern world is complete at the end of grade 8. That is certainly a choice in legislative terms. We could say the funding is guaranteed only to the end of grade 8 and that is where we stay—at the status quo. It is a bit silly, in my view, to pretend that in 1985 a grade 8 education is the optimum and that is what people aim at. It is a rather foolish point of view, but none the less that is the second choice.

The third and final choice is equality; two systems equally funded.

Those are the three choices in principle. We roll the clock back 140 years, pretend that grade 8 is a sufficient education or have an equal system. Without pounding the proposal any further, it is fairly obvious the reasonable and rational choice is the third.

From discussions with constituents who phone with concerns about the funding, I have found that when I explain the three choices they change their minds. The constituents who at the outset were opposed to funding of Roman Catholic schools agree with the logic.

People in Ontario are reasonable. They are not stupid people; they are not illogical; they are not unreasonable. The people here have built Ontario into the strong and good province it is because they are reasonable and intelligent. I have faith that as we go through the debates both here in the House and in committee the people of Ontario will support the principle of this legislation.

There will be some disagreement over individual clauses; that is to be expected. The government fully expects that some people will disagree with particular clauses of its legislation; that is the nature of being the government. There will be some among the general public who will be concerned about this clause or that; that is fine. That is the nature of our democratic system. That is why we have public meetings. That is why we have committee members who will listen to the public and, based on what they hear, will offer suggestions as to how to change certain clauses in the legislation.

The principle of the bill is one on which not only do we have general agreement in this House



but I suggest amongst the general population of the province as well.

I suggest in closing that the legislation is only a beginning. If we are serious about making this work, there has to be a very high degree of co-operation among school boards and among teacher groups. There must be a high degree of co-operation in each and every community throughout this province. There will have to be some sharing of facilities, some sharing of program, of expertise. It is a type of co-operation which probably has never existed before, but it will have to be done.

The end result will be that a decade from now we can say proudly that because of our efforts today we have provided for the people of Ontario, regardless of their religion, the very finest school system anywhere in the world. That is why our efforts are important today, and that is why I appreciate having had the opportunity to participate in this debate.

**Mr. Offer:** It is a pleasure and an honour to rise in this debate on second reading of Bill 30. Before getting into the debate, I would be remiss not to take this opportunity to congratulate and commend the Minister of Education for immediately recognizing the necessity for prompt and thoughtful action. Let there be no misunderstanding, the proposed bill is a thoughtful and exemplary piece of legislation.

The introduction of this bill has waited a long time. Historically, the first Catholic schools in Upper Canada were started by Bishop A. Macdonell, Upper Canada's first Roman Catholic bishop. By virtue of the Education Act of 1841, Catholic schools were allowed a share of legislative funds. The Education Act of 1843 continued to include separate schools as part of the school system and the Scott bill of 1863 formed the basis of separate school legislation as provided for in section 93 of the British North America Act. Enrolment in the separate schools in Ontario has steadily increased and Bill 30 recognizes this fact and that right.

I most heartily support this bill's passage, because it demonstrates that the educational needs and opportunities for students must continue to be of paramount importance. It understands that both publicly supported systems of education must have the same obligations to provide appropriate educational opportunities and to meet provincial expectations in the area of programming. It understands that the level of funding for public educational systems cannot be eroded by increased funding to Roman Catholic secondary schools.

It understands that safeguards must be established to deal with staff declared redundant as a result of enrolment shifts from one school to another in the same jurisdiction. It understands that hiring or employment practices of both publicly supported systems in education must be nondiscriminatory and it understands that students have access to the entire range of secondary school programs.

This is a piece of legislation of the most monumental importance, not only because it addresses an issue of paramount importance to our society, education, but also because the fact that this legislation was not tabled left the people with concerns. The people of Ontario have been concerned for many long months. All of us have heard their concerns on two major fronts. First, they were not so much concerned with the fact of legislation but more with the fact that the legislation had not been tabled and public debate had not taken place. Second, the people of Ontario were not so much concerned about the implementation process of full funding but more because the process of implementation had not been made known to them. The people were concerned about what they did not know.

**5:20 p.m.**

Those concerns have now been relaxed in the short time available to this new government because a legislative proposal has been made public that permits the logical completion of high school education for Roman Catholic students. This government and this Minister of Education have raised the veil of the unknown. We have tabled the bill and the public debate, the input from the people of this province, is ready to begin.

This government has professed sensitivity for the concerns of the individual. I suggest the minister's actions are evidence of this government's sensitivity to the basic concerns of all the people of Ontario on this most basic of issues. This sensitivity is shown by the minister's understanding that we cannot permit the parliamentary procedure to be eroded in any way, shape or form. An appropriate time for public debate must be afforded our citizens; and the approximately 6,300 students and their families, people who have planned their paths of education based on a prescribed implementation date of September 1, 1985, must be allowed that.

This minister and this government understand it would be impertinent to allow more than 6,000 of our youth to be left out in the cold without any recourse because they believed in the words of

the Honourable William G. Davis when he stated in part on June 12, 1984:

"It is, therefore, the government's intention to permit the Roman Catholic school boards to establish a full range of elementary and secondary education and, as part of the public system, to be funded accordingly. This new program will be introduced at the rate of one year of secondary education for each school year, beginning September 1, 1985."

Those children can now rest assured that this new government is ready to safeguard their educational plans. Sensitivity to and understanding of the needs of the people of Ontario have been demonstrated by the Minister of Education and this government, not only through the special necessary action for funding of approximately 6,000, but also through the action to have the question of constitutionality referred through the Attorney General (Mr. Scott) to the Court of Appeal.

This government understands a constitutional reference will be taken by certain interested groups. This government understands it governs by action and by responsibility to the people directly affected, to the people of the province at large, to the varied interest groups and to the law itself. This reference is a manifestation of that understanding. It is an action this government requested when sitting in opposition, and when it became the government it became an action it was ready to take.

The current government has been deeply committed to full funding of the separate school system for many years. Since 1971, this party has fought long and hard for completion of the separate system. Our position has been strong and consistent and has not wavered in the face of criticism and challenge. We have stood by our policy and our commitment to the principle of full funding extension.

This bill ensures that the rights of both school systems are preserved. This bill ensures that employment security be upheld. This bill ensures that hiring procedures shall be nondiscriminatory. This bill ensures the preservation of the quality of our educational system.

**Mr. Gordon:** It is indeed a privilege to speak on a bill that is a watershed in the history of Ontario. I would like to consider a few basic points this afternoon. I must say first of all I not only welcome the bill but also support the basic principle contained therein and the many parts that make eminent good sense.

I must say quite clearly, though, that I am not impressed with the new government's approach

to this bill, particularly from the point of view of sending it to the courts. I think it is for the public or special interest groups to decide whether they wish to challenge its constitutionality. I hardly think it puts us in a very good light as lawmakers or legislators to defer to the courts. I think the government is trying to sit on both sides of the fence; but that is the world of politics, and I can understand that. However, I must point out that I do not think the government is fooling too many people; it is trying to touch all the bases, and I recognize that.

With regard to the question of funding to separate schools in 1985, I think we are righting a basic injustice that has been perpetrated on the Catholic community in this province for many years. When we consider basic education in 1867, we had the nondenominational public school system and the Catholic school system. The system we have today grew out of that. However, over the years the Catholic system was allowed to languish, particularly when it came to the question of funding. In 1867, the Catholic population believed it would receive the same treatment as the other denominations, the Protestants. As the years unfolded, much to their chagrin, anger, very deep disappointment and pain, they found the money was not there and they were being discriminated against.

What kind of wrong has it been? I know there will be some who will speak quite eloquently in this House and among the public for their point of view. They will talk about why they do not believe in this funding. I want to point out that, because they have not had adequate funding, parents who have sent their children to Catholic high schools in this province have had to make very real sacrifices. They sent their children to the Catholic system because they believed it was important that a system of values be inculcated not only in the home but also in the school system, and it cost some of them dearly. Many mothers and fathers have not gone on vacations, have not bought new cars, have done without evenings out so they could see their sons or daughters attend a Catholic secondary school. Those were sacrifices.

There have been many teachers in that system who are now on pension. Their pensions are less than those of their confrères in the public system, because they made less; there was not parity with the public school system. So they too made a sacrifice. They believed in a certain value system and they were willing to do so. However, that does not make it right. What happened in 1867 was not something that happened equally over



the years for the Catholic population of this province. That was an injustice.

**5:30 p.m.**

What about programming? The Catholic secondary school system did not have the funding to provide the same kind of equipment and field trips as the public school system. That was an injustice.

If we talk about the kinds of buildings these people have been accommodated in, most of them are very bare, basic buildings. We in Ontario pride ourselves in not being spendthrifts when it comes to building secondary schools, but I have gone through various Catholic secondary schools and looked at them, and I can say they are very basic, bareboned, cinderblock buildings. One will not find any frills there. One will find the same desks that were put there the day the schools were built. That also was an injustice. They did not have comparable facilities.

What about this change we are looking at that some people are getting so incensed about? From a monetary point of view, we are looking at the funding of two more grades, not a whole system. The system is already there. Not only that, what kind of a change is it? It is a change in the funding of the remaining one seventh of that Catholic school system.

I will put it on this basis. If, instead of announcing the principle of this bill—and unfortunately our party did not have the opportunity to introduce it—the former Premier had introduced funding for grade 11 and waited until after the election to introduce grade 12 funding, there would have been ripples; there would not have been an explosion. At the same time, all we are looking at is one seventh. I ask members to keep that in mind when criticizing this bill or becoming incensed about it.

I want members to think about the injustice since 1867 and that it involves only one seventh of the system. I also ask members to keep in mind there is going to be a cost for extending funding to the Catholic school system, but there is a cost any time one rights a wrong. There was a cost in the United States when they decided they were not going to treat blacks as slaves. There is going to be a cost as well in Ontario when we see women receive equal pay for work of equal value. That is going to have a cost, but it is to redress a wrong.

As taxpayers, we all have a part to play in seeing that these wrongs are righted. If there is a cost, so be it. When there is a cost where righteousness, good sense, truth, freedom and

respect for our fellow man are involved, then I believe it is a positive endeavour in our society.

I also think the bill recognizes the reality of educational financing today. Public and separate school ratepayers provide only one quarter of the more than \$6 billion it takes to run our school system in Ontario. That is correct: the public and separate school ratepayers are paying only one quarter of the shot. As for the rest, one quarter comes from commercial assessment and one half comes from commercial tax revenues. Both the Protestant and Catholic ratepayers in this province were supporting both systems, but one was left with second-class funding. This bill removes that stigma and rights a serious wrong.

We live in a province that has what I call cultural pluralism. That is a state of affairs in which each ethnic and religious group maintains a separate integrity and identity with its own customs and schools. Rather than having one group be the dominant group and having all the others submit, we live in a province that has not been a melting pot but, instead, has been a very rich province because of the diversity we see; and not only in this Legislature, if we were all asked to get up and say our names at this point, we would see the diversity that is here. We are a diversity of ethnic and religious groups, each contributing to and enriching the whole. Having assembled what I call this very vivid mosaic, we must continue to have a tolerant pluralistic society, and we must work to maintain and enrich it.

I support this bill. I support the principle of the bill and I welcome the kinds of effects it is going to have in Ontario in the future.

**Mr. Grande:** Mr. Speaker, I am pleased to involve myself in the debate of the bill before us today. It is one of those bills that comes once every 200 years, as I understand it. I hope that once this is over and the Roman Catholic or separate school system is completed, there no longer will be a need to have another bill of this nature. This bill will make history in Ontario, and rightly and proudly it should make history.

I thoroughly enjoyed the tone of the speech of the member for Sudbury (Mr. Gordon). The tone he put forward, like the tone in which all the members of this House are speaking and projecting, is a positive tone. As far as I am concerned, it continues the mood of June 12, 1984, when then Premier William Davis stood in his place and made the announcement, at the end of which every member of this Legislature got up and applauded the move. That mood should continue, because as others have said, this bill

addresses justice and fairness. I do not think there is any member in this Legislature who is not interested in addressing, in a very direct way, the two principles of justice and fairness.

**5:40 p.m.**

I am not going to talk about the history of the two school systems we have in Ontario at present. The member for Hamilton West (Mr. Allen) did a tremendous job of putting that before the House.

I am not going to be talking either about the legalities of the situation. I think the reference that is made to the Supreme Court will determine the legality of the situation.

I want to address the concerns that perhaps are held by some of the members of the Conservative Party. Please do not misunderstand me; I am not attempting at all to change in any way the tone of this debate. I just want to understand, I just want some clarity on the positions they are taking—basically the position on access. Frankly, I do not understand what they are talking about. Somebody—maybe the former minister and present Education critic for the Conservative Party—should specify what he means by “access” and “denial of access.” Supposedly, he is claiming that if a Roman Catholic school board does not have space to have a student in a school, that is a denial of access.

I must say to the PC’s Education critic that if he wants unlimited access, then two things will occur. The Roman Catholic board, as the definition of the bill states, will just say, “We will provide the access and the capital funding, and we will build the facilities.” There is no problem there. I have seen that system, in my years as Education critic in this Legislature, putting pressure—I do not know if “pressure” is the right word—simply indicating to the former minister the need for facilities and for capital funds to build schools.

For example, a study made two or three years ago by the Ontario English Catholic Teachers’ Association showed that thousands of students in the secondary school system of the separate school board were in portables. The association was coming to the minister—I can cite the examples of Etobicoke and Rexdale—and basically saying: “Give us some money so that we can build these facilities. We do not want our students in portables. We cannot deliver quality education in a portable. We do not think the students should receive all their education in portables and never see a school building in their entire educational career.”

The government was saying, “No, you must share the facilities we have between the public and separate school systems.” We were basically in agreement. Frankly, we did not see the reason schools should be built when down the road another school was empty or half-empty.

If the members of the Conservative Party would like to clarify what that issue of access is all about, it could very easily be solved from the Roman Catholic separate school perspective. If capital funding is provided, they will build schools and there will be unlimited access to the Roman Catholic school.

Interjection.

**Mr. Grande:** My friend here is talking about the transfer of facilities.

However, the Conservative Party seems to be making a big point about access and about unlimited access. Please be clear. I want to understand what that concern is all about so that we can deal with it. There is no reason to disagree fundamentally on a principle if we can find a way to solve that dilemma in which some members are finding themselves.

The other effect of that limited access they are talking about—and they want unlimited access—is to say a Roman Catholic school ought to have 40 or 50 or 70 students in a classroom. If a space is not available, it cannot be produced by magic for a student. I am not criticizing, but I am attempting to be clear on this point.

Fairness and justice were mentioned. The principles of the bill are fairness and justice. I remember doing Education estimates and the present Minister of Education will also remember. We tried our best to get the former Minister of Education to understand some of the concerns of the educational community, be they teachers or students or school boards. At one time the then Minister of Education was quoted in Hansard as saying that as long as she had breath, she would uphold the principle of educational equality. This bill is about equality of education.

I still have difficulty looking at the member for York Mills (Miss Stephenson) and not calling her a minister, unfortunately or fortunately. Since she stated with such strength and conviction the principle that she will fight as long as she has breath for equality of educational opportunity, I have no doubt that member will be very supportive of this bill we have before us.

Other members talked about the provincial election and the fact that everyone was debating this issue, but everyone was saying that no one wants to talk about the issue. In the riding of Oakwood the issue was also debated. One of the



things that came clearly from some people was that they did not want divisiveness. They said they did not want an Ireland in Ontario. I said to them in a very direct way that divisiveness occurs when there is injustice.

If one deals with justice and has solutions that are just, people are not divided, they are unified. Things are not broken apart; they are put together in harmony. In effect, this bill does exactly that. It says we have two public education systems in the province and students are free to attend the one of their choice.

**5:50 p.m.**

I want to say a word to the Minister of Education about what my leader asked the other day about the funding. I raised with the former minister and I will raise with this minister the concerns of the educational community. I hope this minister will be more responsive, not just in the fullness of time but as soon as possible, to the commitment his party and this party have made over and over again in the past, namely, that we want to see education financing go to 60 per cent support from the provincial level of government.

I want the members to remember that, and I am sure they will, and it will be of tremendous help to everyone concerned—I was going to say in the public education system, although they are both that; let me say in the public education system as we view it today—that they move and show good intentions at the present time, today or tomorrow or before this Legislature rises, which will indicate the legislative grants are going to be improved, starting immediately. I am talking about increasing them on a yearly basis to the point where we get to the 60 per cent level of support, not just putting them up 20 per cent as a result of the transfers, etc.

The government has that commitment. I know it has because I will pull out all the Hansards from the Education estimates and quote from them here day after day. Let them not forget that, and I am sure they will not.

Basically, I am pleased with the process that is to be followed, that there will be a committee struck and that we did not have to fight for it as in the past. People who have legitimate concerns will be coming before the committee. I am sure every member of this Legislature will have an open mind on the changes that could be made to improve this legislation, to make it better, provided the principle is not tampered with.

**Hon. Ms. Munro:** I am delighted my first address to the House from this side of the Speaker's chair is one that deals with the extension of funding to our separate schools.

This bill is a courageous step by my colleague the Minister of Education. It is truly cornerstone legislation, not just as a foundation for new fairness for separate school students and supporters, but the cornerstone to the substance and style of our new government. This bill shows the determination of this side of the House for decisive, firm, fair and timely action.

As a former academic, I also see this bill as being a cornerstone to a principle of education I have long espoused, the provision of a fair and equitable jumping-off point for those heading into continuing, recurrent learning, formally at university or college or through various informal learning opportunities, including self-directing and experiential learning.

This bill provides every student in Ontario with two very precious commodities, the choice of education systems and the security of knowing they can complete their elementary and secondary education within it.

We cannot overestimate the impact of this bill on the socioeconomic direction of Ontario. There will be shifts in the numbers and accompanying shifts in the dollars to the various school boards. With a commitment to tolerance and understanding, this can be accomplished without unnecessary cost. In Hamilton we have an excellent example of co-operation and understanding. I will speak of this in detail in a few moments.

However, I am delighted to see the provision for substantial public participation in the timetable for this issue. I look forward to this because I see it as a time for self-awareness, that self-analysis so necessary to empathy. This process, this exposure and examination of the issues, will allay the fears of those members of the public who are at the moment opposed or neutral.

I have talked to many groups about the issue. Not all have favoured the principles of this bill, although I am pleased to say the vast majority have. Many people have expressed concerns about information, procedures, process, costs and quality of education, understandable concerns that can and will be responded to.

I have been visited by the Ontario Secondary School Teachers' Federation, by strong supporters of the public system and equally strong supporters of the separate school system. I have talked and listened to teachers, educators, parents and students. I firmly believe that when all sides of the issue are fairly examined and when people look at the moral issue, we will allay those fears. We may not change the minds of all, but we will provide enough information

for people to take a stand after hearing all sides of the argument.

The fear and trembling we hear and feel from some needs to be replaced by a critical examination of our commitment to the child, to the adolescent, to the student and to his lifestyle. Let us put in as many safeguards as possible for the actors in the existing scenario, but surely the real issue is the child.

My own training requires me to look at the total issue before making a decision, and I must. I want to look at the whole child, the whole delivery system for education for that child, the impact of that education on the world of work and the world of culture. I am not alone. That is why open participation appeals to me and why it is so important. As Minister of Citizenship and Culture, as a member from a multicultural riding and from a city with a deep cultural commitment, as an Ontarian and a Canadian firmly committed to the maintenance and enhancement of our people and of our society, I have no choice but to support this bill.

I also believe that on this issue we should put aside the question of political partisanship.

Instead, let us have an honest, open debate on the best possibilities for all our children.

I have a number of reasons for obligation to the bill. I campaigned on this issue; those who voted for me have voted for the principles in the bill. My own background, the environment that spawned and developed me, demands support for the bill. The very real implications for the future of education demand that I support the bill. Education is integral to and cannot be separated from the cultural identity of the individual and the sense of community so essential to the life of this province.

The bill and this debate are essentially a continuation of the pattern of legislative remediation that has been going on in the province. Let me take the members through a bit of the history, as I understand it.

**Mr. Speaker:** Order. It is just about six o'clock. If this is a suitable place, I wonder whether the member could stop and finish afterwards.

The House recessed at 6 p.m.

## CONTENTS

**Tuesday, July 9, 1985**

### Statements by the ministry

Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:	
<b>Skills training</b> .....	575
Sweeney, Hon. J., Minister of Community and Social Services:	
<b>Child abuse</b> .....	573

### Oral questions

Bradley, Hon. J. J., Minister of the Environment:	
<b>Oil spill</b> , Mrs. Grier, Mr. Brandt .....	581
Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services:	
<b>Former government's commitments</b> , Mr. F. S. Miller, Mr. Laughren .....	577
Fontaine, Hon. R., Minister of Northern Affairs and Mines:	
<b>Air ambulance service</b> , Mr. Wildman .....	586
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology:	
<b>Automobile imports</b> , Mr. Morin-Strom, Mr. Bennett .....	587



Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Privatization of health care</b> , Mr. Rae, Mr. Andrewes .....	579
<b>Abortion clinics</b> , Mr. Timbrell, Ms. Gigantes .....	582
<b>Nursing homes</b> , Mr. D. S. Cooke, Mr. Hayes, Mr. Grossman .....	584
<b>Roman Catholic secondary schools</b> , Mr. Sterling .....	586
Riddell, Hon. J. K., Minister of Agriculture and Food:	
<b>Agricultural funding</b> , Mr. F. S. Miller, Mr. Stevenson, Mr. Rae .....	578
<b>Farm product prices</b> , Mr. Hayes, Mr. Ramsay, Mr. Stevenson .....	583
<b>Sale of beer and wine</b> , Mr. Andrewes, Mr. Swart .....	584
<b>Tile drainage</b> , Mr. Wiseman, Mr. Villeneuve .....	586
Sweeney, Hon. J., Minister of Community and Social Services:	
<b>Sheltered workshops</b> , Mr. Allen .....	585
<b>Petitions</b>	
<b>Roman Catholic secondary schools</b> , Mr. Morin, Mr. Rowe, tabled .....	587
<b>Driving offences</b> , Mr. D. R. Cooke, tabled .....	588
<b>Motions</b>	
<b>Committee sittings</b> , Mr. Nixon, agreed to .....	588
<b>Committee coverage</b> , Mr. Nixon, agreed to .....	588
<b>Private members' public business</b> , Mr. Nixon, agreed to .....	588
<b>First reading</b>	
<b>Planning Amendment Act</b> , Bill 33, Mr. Swart, agreed to Government motion .....	588
<b>Private bill</b> , resolution 5, Mr. Nixon, agreed to .....	588
<b>Second reading</b>	
<b>Education Amendment Act</b> , Bill 30, Mr. Conway, Mr. Timbrell, Mr. Allen, Mr. Callahan, Mr. Davis, Mr. Warner, Mr. Offer, Mr. Gordon, Mr. Grande, Ms. Munro, recessed ..	589
<b>Other business</b>	
<b>Access to information</b> , Mr. Speaker, Mr. Timbrell, Mr. Conway .....	573
<b>Notices of dissatisfaction</b> , Mr. Speaker .....	588
<b>Recess</b> .....	608

**SPEAKERS IN THIS ISSUE**

Allen, R. (Hamilton West NDP)  
Andrewes, P. W. (Lincoln PC)  
Bennett, C. F. (Ottawa South PC)  
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
Brandt, A. S. (Sarnia PC)  
Callahan, R. V. (Brampton L)  
Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services (Orléans L)  
Conway, Hon. S. G., Minister of Education (Renfrew North L)  
Cooke, D. R. (Kitchener L)  
Cooke, D. S. (Windsor-Riverside NDP)  
Davis, W. C. (Scarborough Centre PC)  
Edgihoffer, Hon. H. A., Speaker (Perth L)  
Fontaine, Hon. R., Minister of Northern Affairs and Mines (Cochrane North L)  
Foulds, J. F. (Port Arthur NDP)  
Gigantes, E. (Ottawa Centre NDP)  
Gillies, P. A. (Brantford PC)  
Gordon, J. K. (Sudbury PC)  
Grande, T. (Oakwood NDP)  
Grier, R. A. (Lakeshore NDP)  
Grossman, L. S. (St. Andrew-St. Patrick PC)  
Hayes, P. (Essex North NDP)  
Johnston, R. F. (Scarborough West NDP)  
Laughren, F. (Nickel Belt NDP)  
Martel, E. W. (Sudbury East NDP)  
Miller, F. S. (Muskoka PC)  
Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)  
Offer, S. (Mississauga North L)  
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)  
Rae, R. K. (York South NDP)  
Ramsay, D. (Timiskaming NDP)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Rowe, W. E. (Simcoe Centre PC)  
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)  
Stephenson, B. M. (York Mills PC)  
Sterling, N. W. (Carleton-Grenville PC)  
Stevenson, K. R. (Durham-York PC)  
Swart, M. L. (Welland-Thorold NDP)  
Timbrell, D. R. (Don Mills PC)  
Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wildman, B. (Algoma NDP)  
Wiseman, D. J. (Lanark PC)





No. 17

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Tuesday, July 9, 1985

Evening Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, July 9, 1985

The House resumed at 8 p.m.

## EDUCATION AMENDMENT ACT (continued)

Resuming the debate on the motion for second reading of Bill 30, An Act to amend the Education Act.

**Hon. Ms. Munro:** I would like to continue my support of the bill introduced by my colleague the Minister of Education (Mr. Conway). The bill is essentially a continuation of the pattern of legislative remediation that has been going on in this province.

Let me take the member through a bit of the history. In 1841, the school system as we know it today was established. It called for the creation of the common school system. This developed into the public and separate systems we enjoy today. At that time, there was very little in education past grade 10.

The next step came in 1871 when the province brought in district boards of education. These boards were given the responsibility of handling secondary school education. It was in that legislation that a difference began to appear between public and separate schools. There was no provision for separate schools in the district boards. It took almost 100 years for this province to redress the matter. It was not until 1969 that these district boards were abolished, to be replaced with the existing system where the separate school supporters can elect representatives to public school boards. Of course, they can only debate matters arising out of secondary issues, and many might feel they were rather part-time and therefore not a full part of the board and its secondary discussions.

For those who are worried about the effect of this bill on the school system as it exists today, let me point out an excellent example from Hamilton. The public and separate school boards in my home town have already begun to handle the likely transfer of students from one system to another. They are working closely together and there is a very amicable relationship. Senior officers of both boards were very specific in telling me the transition is being handled smoothly and fairly.

A good example is Southmount Secondary School. This is a good example not only of the transition needed for the funding of separate schools but also for the changes and shifts that have been taking place within education over the past several years. The two boards have signed an agreement whereby the separate school board will lease about half of Southmount for the students from St. Jean de Brébeuf Separate School, the remainder of the building to be used by public school students in a French-language program. This kind of co-operation and atmosphere of cordiality and willingness to accommodate is what we must have throughout this province.

I am happy to report on Hamilton's reaction to another part of the bill, the section that establishes guarantees for the teachers. For many years I have been a strong advocate of workers' rights. It would have been unconscionable to bring in legislation that did not cover the rights of the teachers and other staff, who are the workers in this instance. I have heard nothing but praise from my friends in the public school system. Those in the separate system are also pleased with the principle of the guarantees. I am told that the separate school board recognizes its role in the staffing issue and will accept this role. These same people told me that the separate school system must maintain its system and its special mission.

As I said earlier, this bill is simply part of the pattern of continuation of legislative remediation in that it now allows separate school supporters, teachers, students and parents to be a full part of the educational system. It removes the stigma of second class from the separate school system. We have all watched as the separate schools held bingos, raffles and every other conceivable kind of fund-raising activity to keep their schools operating. This bill removes that stigma.

Of course, there is a cost. When one redresses a wrong, there is always a cost. The question is not whether we can afford to go ahead with this legislation, but whether we can afford morally and socially not to do it.

I would like to inform the members opposite that I have been in touch with the school boards in the Hamilton area and there is strong agreement

that the figure of \$80 million noted by my colleague the member for Renfrew North (Mr. Conway) is correct. They have all wondered out loud where the figure of \$40 million used by members opposite came from. Perhaps it was simply a mathematical error.

I have read reports that this bill is the fountainhead of an emotional issue. That is exactly right. There certainly does not appear in my mind to be any legal or moral issue here. All parties in this House have agreed to the principle of extending funding. All parties in this House campaigned on this issue. We on this side have been in favour of the extension of funding for several elections. That holds true for the members of the New Democratic Party. The Progressive Conservative Party had to travel a little closer to Damascus before its conversion.

Let us take a look at some of the emotions about this issue. In my riding office, the calls, visits and letters are running at about 90 per cent in favour of the principle inculcated in this bill. I have talked to several of my colleagues and they report similar data.

Emotion does not revolve around the rights of parents and students to select between the public and separate school systems. That right has been with us for well over a century. The emotion revolves around the right to complete an educational program within a system. I know of parents who have had to sacrifice a great deal to let their children complete their education within the structure of Roman Catholic education. I have letters that talk about those sacrifices and they were real. This bill will eliminate those sacrifices.

Let us talk about the emotion of separate school supporters who see themselves as being forced to support two educational systems. I have letters in which the word "subsidized" is used instead of the word "support." They feel that strongly about this issue.

All of us in this House receive letters every day from people, groups and companies trying to make points, might I say lobbying for their causes. These letters come in on embossed paper and have been produced on word processors in a way that is intended to catch our attention. The letters I have been receiving on the issue of extending funding have been written in an entirely different way. They are not for the most part on expensive paper. They are on notepads and are handwritten or carefully hand-typed. They are full of emotion and they have caught and held my attention. Many have required translation. These are not form letters. They are

from the heart and they quickly get to the heart of the matter.

It is the moral right of separate school supporters in this province to be able to enter and complete their education within a separate school system. This bill allows for that right to be fulfilled. I urge all members to support the bill.

I have spent quite a few years in academic circles. I am a confirmed believer in the development of as many educational opportunities as possible. I have a real bias towards providing quality educational opportunity and, as a person involved in providing those opportunities for many years, I can tell the members that opportunities must be provided in the space and time most convenient to the prospective student, to the person who needs educational development.

We are several decades past the point where a grade 10 education would set one on the path to a productive and rewarding career. I will admit, quickly, that many people can make it and make it well with a grade 10 education or even less, but the vast majority of people need the benefit of the nurturing that comes through the formal educational system. They need the stimulation of other thoughts and other minds. They need the discipline of the formal classroom.

**8:10 p.m.**

We cannot expect a large proportion of our population to stop at grade 10. We should not even be thinking about it. It is ludicrous. This is the age of high tech. This is a time of specialization and a meld of general knowledge. The further we develop our technology, the greater will be our need for formal education and training links with commitments from business, industry and labour. It is clear that a secondary school education is a basic need for most people in this province.

Let me return to a point I was examining earlier. I suggest we must now take this requirement for education and put it into a delivery mode. I said earlier that my experiences show that educational opportunities must be delivered in a time and place convenient to the learner. Taking a separate school student out of the separate school system after grade 10 is not convenient. It is wrong. If it is not removing educational opportunity, it is at least tampering with it. If there is one thing Ontario does not need and the next generation of Ontario leaders do not need, it is tampering with the learning environment and hence with educational opportunities.

Let me remind members that this bill is nothing more than a continuation of progressive



legislation through the years. When the existing system was established in 1841, there was no such thing as kindergarten and there was no prekindergarten. If it was right for the provincial government to fund these levels of education in both the public and separate school systems—and it was right—then surely it is right to fund the other levels of education that were not predominant in 1841 or 1871 or, for that matter, as late as a few decades ago.

Members of this House are already aware of my strong support for the principles included in this bill. Just a few weeks ago when I was sitting on the other side of the House, I presented a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. That petition noted that it is the sincere expectation of more than 500,000 students and staff of the separate school system and nearly four million separate school supporters in Ontario that they will not have to suffer any further delay or humiliation on this issue.

The intent of that petition was to get some action out of the government. We now have that action and it is about time. When the members opposite formed the government they promised full funding a year ago. Then they waited; some may say stalled. I cannot stress sufficiently the importance of quick action now. I believe the Premier (Mr. Peterson) has looked well to the safeguards. There is no railroading of the issue as the Leader of the Opposition (Mr. F. S. Miller) is reported to have said he feared would occur. We need quick, responsible action and that is exactly what I see in the legislation and the legislative timetable laid out by this government.

The education of a child is part of that child's total culture, the world of work, recreation, leisure, lifestyle, religion, community and vision. This is so in my life. It is equally so and reflected in the lives of many children, parents, teachers, care givers, employers and volunteers in this province.

The bill itself and the principle it embodies is long overdue. Responsibility for the mechanics surely rests in large measure with this Legislature, we who have the confidence of the people and who are here to represent and involve. I am obliged, I am committed to this end, and thus strongly articulate my support for the bill presented by my honourable colleague the Minister of Education.

**Mr. Cousens:** I am pleased to stand in the same spirit as I stood with all other members of this Legislature on June 12, 1984, when Premier Davis announced the decision to support the

extension of separate school funding. As I applauded that decision then and the far-thinking and far-reaching implications it would have, I stand now to explain my position and to present some of the considerations that certainly have gone into this very important progressive step within our province.

The truth of the matter is that the people of Ontario believe education is important. They believe it is one of the most important basic needs that our society must have and that we cannot overstate its importance. Education is seen as society's responsibility for future generations. It is the foundation-stone for each life.

We, as legislators, have a fundamental responsibility to help guarantee and assure quality education for our young people. Our goal must be to educate as best we can, remembering that our young people, their minds, spirits and bodies, are our greatest resource. We must help them make a worthy contribution to society so they themselves can find personal fulfilment.

The Canadian Royal Commission on National Development in the Arts, Letters and Sciences, in its report in 1951, said, "Education is the progressive development of the individual in all his faculties, physical and intellectual, aesthetic and moral." I agree with this synopsis. What could be more important for us as legislators than to give full and proper consideration to anything that can impact on the educational system? We must be all the more sensitive to all the implications of this bill so the legislation truly reflects the needs of our society and our youth.

The three underlying concerns I wish to address, which are implicit to this legislation and prerequisite to its success, have to do with the quality of education, the rivalries that can exist in society—I would like to talk about that—and the opportunity of equality for all.

Speaking about the quality of education, I believe we do not want second-class education or a second-class society. Therefore, we must do everything we can to maintain the highest quality of public and separate education in this province so we are able to develop those young people for positions of responsibility to carry on as we would hope they could.

Therefore, within our educational systems, let us never forget to cover the basics effectively and well. Let us always maintain a balance on all subjects so we can cover physical health and education, the arts, maths and sciences. Let us make sure we fully comprehend the needs of all ages of all youths within our systems from the youngest to the eldest.

Let us make sure the buildings and services that undergird that system are in place and are there to do the job they should do. Let us make sure we continue to invest in educational research so that we can evaluate new approaches and methodologies. Let us continue to try to create a climate for our teachers so they can work happily and productively with excellence. Let us continue to respond to the changing needs of society as we look at the high-technology industry and computers and their impact on society. Let us look at the sciences, biology and life sciences. Let us look at the arts and culture.

As well, let us never forget that our schools should have discipline so our students are learning what it is to work and to understand the value of work. Let us not forget the value of inspection so the schools just do not go off and do their thing, but there is a monitoring and watching over them so we do not take what is going on for granted.

Quality is only possible with standards of excellence. These standards must always be raised to a level so we are reaching for something. Society has great expectations for education. There can be no mediocrity. The standards we have within our systems of education must be upheld. There cannot be mediocrity in any schools that obtain public money.

**8:20 p.m.**

Quality will not happen because of high-sounding politicians in this House. It takes the total, immediate response of our whole society that shows a genuine concern for education. It starts with volunteers going into schools. It starts with business people saying they are concerned about education. As chairman of a technology association, I am pleased to say we are doing a great deal to adopt schools, to get involved with the education system and to set up advisory councils. Similarly, the churches and religious leaders must continue to give of themselves and give leadership within the education system.

However, the quality of education will not happen without the investment of the dollars needed to provide the facilities, the services and the teachers for the students in this expanded system. I remind the Minister of Education that in the riding of York Centre, he is going to have to spend some money immediately when this bill is passed. We need a Brother André Catholic high school in Markham. We need portables for St. Robert's school. In a few years we are going to need a new vocational school for the public system. We need a new secondary school in

Thornhill-Vaughan. We need a new high school near Kennedy Avenue. All these things are imminent.

The fact is clear that if we are going to have an importance in education, we had better be prepared to spend the dollars to make it happen. It does not happen for free. We need public participation, but it takes a commitment in dollars. Quality cannot be sacrificed for any reason. The moment this or any government shies away from investing in future generations, we could be back here in short order—or we could be over there in short order. I caution the honourable members in this House not to think one can shortchange the education system.

My second point has to do with a very sensitive issue, that of religious rivalry. During the recent election campaign, I heard from many constituents who are extremely sensitive about the effects of supporting the separate school system.

I come from a unique background because I have served on two school boards, one separate and one public. I served on one of two Protestant separate school boards in Ontario, and I served for eight years on the York Region Board of Education. That gives me a unique understanding of what it is to sit with a minority group and with a larger group.

I also come from a background where I have a theological understanding of Roman Catholic dogma. Out of this background, I have confidence that the Roman Catholic church will try to maintain a happy balance between what the church believes and what the rest of society wants.

Many people in my riding are very concerned about the change in balance that is taking place with this legislation. They are concerned that there could be a negative reaction which echoes that of Northern Ireland. I hope that does not happen. I believe our communities want to work, play and live together in peace and harmony with all religions. Therefore, I think we as legislators want to make sure we reflect the needs of society where the rights of all are understood and the rights of no one are usurped.

In our society, we must build bridges of friendship, not walls of separation. In our society, we must build a climate of trust, love and understanding for one another. In our society, we must have balance that permits all to live and work in peace and harmony. This delicate balance exists in our society, and I do not believe it is in danger, but every one of us has a fundamental responsibility to do our best to work for that balance to continue.



If there is any tipping of the balance that starts to disrupt the peace and harmony that our society loves and enjoys, I believe we could be back to discuss and review this legislation. I hope not. I hope this legislation proceeds in the spirit that Bill Davis announced on June 12 and in the statement of Sir John A. Macdonald that he quoted: "We do not want to stand on the extreme limits of our rights. We are ready to give and take. We can afford to be just; we can afford to be generous because we are strong."

If for any reason our society cannot handle this, we, as legislators, should be prepared to return to this House and to look at yet another option, which may be one common public education system. I believe the whole issue of separate school funding can go ahead, but we should be prepared to do our best to make it happen. Should it not go well, however, we should be prepared to reopen, rethink and review it. I sincerely hope that does not happen.

My third point has to do with the equality of educational opportunity. I love what Stephen Leacock says in *The Unsolved Riddle of Social Justice*: "The chief immediate direction of social effort should be towards the attempt to give every human being in childhood adequate food, clothing, education and an opportunity in life. This will prove to be the beginning of many things."

There must be equality for all: for Catholics and non-Catholics and for boys and girls. There must be equality under Bill 82 so those who are advanced or special in any way can have the opportunity they need for a fair and true education. There must be a fair opportunity and equality for new Canadians so they can learn our language and culture and learn to live. Our legislation must enshrine the principle for all children and youths in our province, that equal opportunity to learn, grow and prosper is a true, fundamental right in our society.

I will support this legislation; I support its high intentions. However, I will be ever vigilant that the quality will be high for every school and student that receives public dollars. I will be vigilant that the balance is maintained so our society does not become fragmented or separated with rivalries and religious fragmentation that can only destroy and hurt a beautiful, great society. I will be ever vigilant that equality will be there for all people and that we guarantee it.

**Mr. Wildman:** I join in this debate, as I think all members of the House do, in support of the principle of equality of educational opportunity in this province.

I believe there has been a serious blot on the social fabric and body politic of Ontario ever since 1841 because, besides the compromise that was made at that time to help bring about Confederation, there have been repeated attempts from time to time by certain individuals and groups to play the politics of religious bigotry and to exacerbate confessional divisions in our society.

Even those who did not have those kinds of motives feared the request for equality of opportunity for those who wished to have a religious component in their education system. As a result, although the compromise was made in the 1840s to 1860s, there has been an unjust situation in our province, in which Roman Catholic parents who wished to have religious and moral value systems inculcated in their children through the education system as well as at home were required to make a tremendous sacrifice to make that possible.

Many families went without what others took for granted, because they believed it was important to provide for a religious and ethical component in the education of their children while at the same time they were paying taxes towards an education system that was not serving them. In my view, that was an unjust situation, and we have the opportunity today to right that wrong. For that reason, I support the principle of equality of education.

**8:30 p.m.**

I believe we as legislators have a unique opportunity in participating in this historic debate. We can complete the historic process that was begun in 1841. As I said earlier, during the 1840s to 1860s, the politicians and leaders of this country developed a unique compromise which led to Confederation. I believe we in Ontario must act in the spirit of that compromise and deal with legislation that will make it possible for all parents in this province to obtain the education they want for their children.

We have the opportunity to complete the great Canadian compromise that was enshrined first in the British North America Act in 1867. The BNA Act entrenched the status of separate schools and guaranteed "any right or privilege with respect to denominational schools" that existed at that time in what is now Ontario and Quebec.

I believe the leaders who reached that compromise believed that right or privilege did not end at grade 8 or grade 10 but went on until what was accepted at that time as the normal graduation of most students. That, of course, has changed. Today most students strive to complete a much

longer education at the elementary and secondary levels. I believe the leaders of this country in the 1860s intended that those students would be able to obtain that kind of education without the sacrifice that has been required of their parents since then.

For that reason, I welcomed the statement made by then Premier William Davis in June 1984 when he reversed the long-standing policy in this province and announced full funding for separate schools, starting with grade 11 in September 1985. I also welcomed the fact that all three political parties at that time supported the announcement by the then Premier.

I want to make clear that when I say I support the principle of the equality of educational opportunity in this province, I believe it is imperative for us as a Legislature to ensure that there is full access for all students, no matter what their creed, to the education they want and need. I hope that the discussions of the bill now before the Legislature, when we reach the committee stage, will deal with that very important principle and that whatever changes may be necessary to ensure that will be completed.

It is my belief that we must not implement this change at the expense of quality public education in this province. This party has been on record as opposing the cuts in education funding by the provincial government since 1975, a trend that has led the government's share of the cost of education to drop from about 59 per cent to less than 50 per cent in eight years. I believe that in dealing with this legislation we must deal with the question of funding.

I believe the underfunding problem for both the nondenominational and Catholic school systems must be met head on by the provincial government. To deal with the question of equality of education without talking about funding is to hide one's head in the sand.

It is important for a lot of people in this province to recognize that when one is dealing with equality of opportunity in education, there are many parts of this province where we do not enjoy equality of opportunity in education. There are many communities in northern Ontario, and I suppose in some parts of rural southern Ontario, where we have very small towns and there is only one school at the secondary level in a community. There are very few students, the enrolment is low and it makes it very difficult for the school board and the school to provide the educational opportunities that other students in large, metropolitan centres take for granted.

To deal with this legislation without recognizing that in many parts of the province the public school system now is not equal and that students do not have the opportunity in their own communities to obtain the kind of education they need and want is to ignore a very important factor that affects the education of children in Ontario. We cannot deal with this legislation without recognizing that and without committing ourselves to the continued viability of the public school system as well as that of the Catholic school system.

There are certain aspects of the proposed legislation I welcome wholeheartedly. The attempts to ensure job security for teachers with provisions for transfer, for protection of salary levels and for protection of seniority are most welcome. However, I have some questions that I hope will be dealt with when the legislation goes before the committee.

If positions are not available for teachers who are displaced by the change in the funding formula and the transfer of students, it is my understanding their names will be put on a list that will be submitted to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario and then circulated to other boards. However, I also understand there is no provision in the legislation for the hiring by other boards, Catholic or public, that may need teachers from this surplus staff across the province. Perhaps that is something that should be dealt with.

I suppose we have a situation where Catholic boards in areas of increasing enrolment will be free to hire other people altogether, such as new and cheaper education graduates, while because of the new policy, qualified surplus staff are denied jobs by transferring from other areas of the province. I do not think that is an adequate approach.

There are provisions in the legislation for nondiscrimination by Catholic boards that hire non-Catholic teachers. I understand it has been stated that these provisions will protect teachers from interference with what is sometimes termed "lifestyle" related to differences of creed, but it is not spelled out in the legislation; perhaps it should be.

I want to turn to my greatest concern when dealing with the quality of opportunity in education, which is the viability of single secondary schools in small communities, particularly in northern Ontario. I am concerned that the implementation of this very desirable change



could lead to the fragmentation of the educational system in small communities across the north where there is only one secondary school.

Implementation of this legislation must not threaten the viability of public education in those small communities, and that is a possibility. There are some school buildings in small towns across northern Ontario that already house two schools and two administrations. Over the past few years, in my own riding the community of Blind River has just come through very well the division of its secondary school into an anglophone school and a francophone school—two schools and two administrations. It now faces a possible third school within the same building.

**8:40 p.m.**

Such schools already have difficulty in providing the course options that modern students need and want to make it possible for them to make it in our modern technological society. In very small school units with small classes, there just are not enough students to provide the course options and selections that are required. This is particularly the case if funding by the provincial government continues at the current levels.

Equality of educational opportunity demands change in the funding formula in order to provide for the viability of small secondary schools across Ontario. We must have alternative approaches for small high schools in small northern communities. Obviously, public and Catholic school boards must co-operate to share facilities and programs where necessary to ensure access for all students to the course selections they need.

It is imperative that the provincial government provide the funds necessary to make it possible for these school boards to provide the kinds of courses that are accepted and normal in the large metropolitan centres with the large schools we have in southern Ontario. If this is not done, we risk the viability of the public school system in implementing a very desirable principle.

The provincial government, as the administration of this province, must reverse the decline in provincial funding of elementary and secondary school education. As a province, we must begin restoring the provincial grants to the level of 60 per cent of costs at which it was 10 years ago. I and my party believe we must also shift the cost of education from the regressive property tax to the general provincial revenues.

As is true of all communities in Ontario, Algoma riding is composed of people of many creeds, faiths and cultures. There are Roman Catholics and non-Catholics who have lived in harmony for many years in the small communi-

ties of Algoma. Some of the people of Algoma favour extension of funding to the Catholic school system; some of them oppose it. It is imperative that we have committee hearings after second reading that will give the opportunity to all interested to present their views and have them heard and to bring about amendments in the legislation if necessary.

Of greatest concern to me and to the people of Algoma is full access for students, job security for teachers and the viability of public education and the funding required for that. Some of the people of Algoma have argued that we should postpone implementation until a consensus is achieved that funding should be extended to the end of grade 12, the end of high school, for the Catholic school system. I believe that is unrealistic.

Any delay beyond what is required to enable all those who are interested to present their views and have them heard can only exacerbate divisions that may be latent in our society. I believe to delay would be to abdicate our responsibility as legislators. I believe he who hesitates is lost. I am sure all the members of the Legislature agree with me that it is the responsibility of the elected representatives of the people of this province to pass legislation we believe is right and just.

True, it is the independent responsibility of the judiciary to test the constitutionality of legislation, particularly under the new constitution of this country. We, as legislators, cannot prejudice what the courts might decide in this case. We must be prepared to respond to whatever decision is rendered by the court. We are so prepared.

I have done a lot of thinking about this legislation and a lot of consultation with the people of Algoma. I have believed for a long time we have perpetuated an unjust situation and I am thankful that I, as a legislator and a representative of the people of Algoma, have been given the opportunity to participate in such a historically significant and important debate which helps to right that wrong.

I trust that after the passage of second reading, the committee hearings and the committee stage of the bill, we will be receptive to the concerns of the people of this province to ensure that this legislation does what is intended and at the same time ensures that all the people of the province benefit, the people of the small communities as well as the large.

**Mr. D. R. Cooke:** It is indeed true that he who hesitates is lost. In supporting this bill introduced by the minister, I rise with relief and gratitude

that this is the way the matter is being handled. I speak as one who is convinced that the matter has been blown out of all proportion and that if we were not to deal with it quickly, old sores, healed over a generation ago, would be reopened.

I am delighted, and I know most of the people in my riding are delighted, that the matter will be disposed of quickly and that there will be a full hearing, including a hearing into the fairness of the existence of separate schools, and that provision is being made for, I believe, 39 school systems, including the school boards in Waterloo region, which already have made plans to implement funding for grade 11 during the 1985-86 calendar year.

For those who decry a supposed violation of the separation of church and state, I would remind them that, whatever system we are living with, we have been living with it since 1841 and it is a little too late to complain. In fact, the evolution of the separate school in recent decades has made it more and more liberal, as Catholic laity have assumed control of the system and fewer and fewer teachers are being chosen from the religious community. The issue is not at present a divisive one.

Before May 2 I received half a dozen calls from people in my riding who wished to express their displeasure on the issue of funding itself. Many dozens of people were concerned about the lack of a debate, a lack of procedure on the part of the Davis and Miller governments. But those who could not accept funding at all, so indicated by a desire and an intention to decline their ballots. Of nearly 31,000 votes cast in Kitchener riding, only 17 ballots were declined. I am sure about half of those warned me personally.

It is very easy to exaggerate a problem when it is raised by a very vocal minority. In fact, a recent meeting in my riding to organize opposition to funding attracted only 15 people. I am in receipt of a letter from Elizabeth Witmer, chairman of Waterloo County Board of Education, the public school board, dated June 5, 1985, urging the government to introduce this legislation as quickly as possible. I note with pride that this board was extremely co-operative in smoothing implementation and was ready to go on April 30.

I note as well that our separate school board is easing in the changes by gradually converting the junior high schools into full high schools, having junior high schools drop grade 7 this year as they pick up grade 11. There is nothing unusual happening.

Those who complain about money being spent before the legislation is passed should remember there were complete separate high schools in operation, I believe in Toronto, before a direction from the Minister of Education cut them off in 1915, not by legislation, but merely by a direction.

**8:50 p.m.**

To complain about the lack of constitutional validity before September 1 is silly. The whole separate school system might be illegal. It might be illegal to wear red ties in the Legislature, but we do not know and we will not know until some court tells us. Surely we can continue breathing and doing what we feel is right until we are told otherwise by some court. Manitoba apparently passed legislation that was illegal for more than 100 years; so these matters can always be rectified when court decisions are received. I know if that happens, the Attorney General (Mr. Scott) will look at the options he has very carefully.

We have not been fair to our separate school supporters for far too long. It is not fair when they receive only \$3,300 per pupil to spend when the public school system has a great deal more. It is not fair that teenagers at the end of grade 10, during what can often be a difficult time in their emotional development, must choose between various pressures.

These options include—no matter what system they are in—that of withdrawing from school. About 40 per cent of them succumb to that pressure, or there is the pressure of having to pay extra money to go to school or to obtain extra funds from their parents to attend a Catholic high school.

Quebec, Saskatchewan and Alberta have full and fair funding. It is time Ontario grew up and joined them.

**Ms. Fish:** I rise to join in this debate, albeit somewhat briefly, to reflect for a few moments on the principle that is being discussed here, as distinct from some of the detail of the bill. I am sure the detail will be dealt with in committee when we touch upon clause-by-clause.

I thought it might be fruitful to remind ourselves what is being proposed to happen here. I think there has been a great deal of confusion about it, much of it honestly held, and there has been an element of confusion that has been deliberately created. Notable in some of the confusion has been the forgetting—I use that word charitably—by some in our society that some grades of separate schools have been funded.



There are some who did not reflect upon the fact that for more years than anyone has been in this Legislature there have been public tax dollars directed to a separate school system through a number of grades, notably grade 10. What we are talking about in this legislation is a simple extension of that existing funding of three years, possibly even reduced to two should there be a decision on grade 13.

Therefore, we are talking about bringing in a principle that has already been well established in this great province of ours. It is a principle that has formed part and parcel of a very strong, very stable educational system, one that has held that there have been two streams of publicly funded education.

We are simply bringing it down to the level of the individual who is affected. We are saying that in Ontario, students may go through grade 10 in a publicly funded separate school system and may, after the completion of this legislation, finish their high school in a publicly funded separate system as well as in, or as an alternative to, a publicly funded public system.

I think when it is put in those terms, some of the drama comes out of the arguments, some of the drama that uses phrases such as: "I do not think any public tax dollars should ever be directed to denominational instruction. I do not think public tax dollars should ever divide us by religion."

I am one of those who feel there is opportunity for progress in this province, an opportunity for change. But I also think we should change and progress where the change and progression make sense, where it is sensitive and responsible and where it meets the needs of the people of this great province of ours. In my view, the change that is sensible is the simple, on-the-ground change to permit students in this province to complete their secondary education in a publicly funded separate school system.

To me, that is very dramatically different from any possible extension of that notion to the thought that there should be any variation on a voucher theme or any additional funding for other systems that might be religiously specific and denominational.

At this time, I think it worth placing on the record my very strong view that it is one thing to maintain a tradition in this province that was set long before any of us were here and quite another to twist a respect for that tradition into an understanding that any such move would bring us to the point of genuinely splintering the publicly funded education system into a series of private,

independent or religious schools receiving public tax dollars or the direction of parents' tax money.

I think that principle is an important one to enunciate because I think there has been a considerable amount of confusion on that very point. I have had people come to me in the last year and say, "If you are going to fund the separate school system, then surely you must fund every other private, independent or denominational system that rests in this province."

I say no, I am not persuaded that is necessarily the case because there are two public systems in this province established in excess of 100 years ago, a separate system and a public system, both publicly funded.

For example, the discussions around accessibility will deal with some of the specific questions and concerns that have been raised by members of the public and by members in this House around details of the legislation, but I think settling those questions provides us with a very important opportunity to recognize that one in four Ontarians today was born not simply outside this province, but outside this country. We have an extraordinary mix of language and cultural groups, races and religions. We have seen that mix most readily in some of our cities, but it is not evident only in them.

I believe the single most important challenge in front of us as legislators in this House, and then, in turn, in front of the decision-makers in the publicly funded schools of this province, be they public or separate, is the more important challenge of ensuring that all our young people understand the differences between and among us as we have come to this province; understand and appreciate, have compassion for and sensitivity towards and, most important, as a consequence of all of that, see the artificial barriers of prejudice and intolerance broken down.

Those barriers are easy to throw up. We have seen the beginnings of some of them start to reappear in the course of the debate over the last year on the question of the simple extension of a further three grades of funding to one already publicly funded system. I am very concerned about that because I am one of that 25 per cent not born in this country, indeed someone who was raised where the principle of separation of church and state runs strong and deep and where there would not have been and is not today any public financing for separate denominational education.

**9 p.m.**

None the less, I believe we must understand the history of what has made this province so tolerant and open, what has encouraged people to

ensure that a place is made available for those of us who were not so fortunate to have been born here, but have come, whatever our religion, race, cultural group and language, to put down our roots and become a full and participating part of this society.

That tradition of tolerance has surely been built, in large measure, on the education system we have. I can think of no more compelling influence on the young people of this province than the influence teachers and the educational system have in moulding our young people, in opening their minds, in suggesting to them new avenues to follow, in challenging their thoughts and encouraging them to set for themselves the values of tolerance, understanding, sensitivity, compassion and of reaching out one to the next.

Fundamental to the education system, I say again and come full circle in my remarks, has been the dual system of publicly funded schools; one public, one separate, so-called. If there is a challenge before us in framing the specifics of this legislation and carrying forward a simple principle of maintenance of open systems, of systems that have been party to developing the kind of society in which we are proud to stand up and say we are part of today, it is a challenge that ensures the publicly funded public system and the publicly funded separate system are strong, have the resources they need to carry out that precious responsibility of instructing our young, and are in a position to accommodate all of the young people who want to be there. Perhaps more important than anything else, first and foremost is their responsibility to ensure that the narrow doors of any form of prejudice—cultural, linguistic, racial or religious—are swept clean from the classroom and swept clean from the young people who come through our education system now.

In their stead, the basic traditions that have formed this province are taught, are cherished, are passed down and developed in our young people in such a fashion that when they grow, as they will, to assume some of the seats that we hold in this Parliament, or other positions as decision-makers in our society, they too will understand that there are overriding principles with which we must deal. Those overriding principles are shaping a society which understands the differences that separate us and looks to the things which bind us in common, and realizes that critical to all of this is a healthy, publicly funded system of education, be that through the public stream or the separate.

**Mr. D. S. Cooke:** First, Mr. Speaker, since this is the first time, aside from question period, that I have spoken in the Legislature, I would like to congratulate you on being the elected Speaker of the Legislature. I am sure you will do a fine job. I notice that during question period you are trying to cut all of our questions very short. You have to give some of us time to adapt to the new rules you are instituting in this place. When we do ask our four or five questions, please be tolerant, at least for the rest of the week, because I would like to ask a few more questions.

When we break for the summer, I hope you will do something about these fantastic seats they have given us down here. I cannot even see who is sitting up there any more. The camera angle is bad too, not that I was on television that often, but I would like to think I have the opportunity, if I ask the right question, to have a camera aimed at me. If they aim it down now it is going to end up on our laps. Since my House leader will not listen to me, I am pleading my case to you.

**An hon. member:** Refer it to the member for Sudbury East (Mr. Martel)?

**Mr. D. S. Cooke:** I am running against him. I would like to announce my candidacy for House leader.

I am very pleased to be able to join in on this very important debate, probably the most important debate we have had in the Legislature since I became a member in 1977—it seems like 1967. This issue, I need not say, is a very difficult issue.

I remember back in the 1971 provincial election when I worked for my predecessor, Frederick Burr, this was the number one issue in the riding at that time called Sandwich-Riverside. I guess the only regret many of us have who have supported extension of funding for many years is that had this been done in 1971 the flexibility would have been there, it would have been much less difficult to extend funds and there would have been much less disruption.

I am very proud that my party has been consistent on this issue, even though at times it has been extremely difficult and has cost us dearly at the polls at election time. During the recent election I do not think that in dealing with this issue there was any more difficult area of the province than the Windsor-Essex area. It was more controversial in Essex county than in the city of Windsor, but we got the flavour of what was going on in the county and we suffered some difficult times in debating the issue in the city.

There is no blame for the difficulty experienced during the election. There was not a lot of



information for people to deal with and, therefore, fears grew. Whether those fears were legitimate does not matter; none the less the fears were there because of lack of information.

In Essex county, I think some of the fears were legitimate. Anyone who understands rural communities in southwestern Ontario will know that in Essex county, for example, there are several small urban areas, each of which has its own public high school, each of which is proud of its school which is the focus of the community and each of which wants its school to be maintained. Somehow we have to come to grips with that issue, whether it means sharing facilities or some new facilities. Whatever the end solution, we have to respect the needs and desires of small communities throughout the province.

I guess I first found out what this issue was going to be like just before the election when a community meeting was called in Sandwich West. We did not have a nominated candidate—the other two parties did—and I was called upon to represent the New Democratic Party in Sandwich West.

The only thing I can say is after the meeting I said I would never do that again. There were about 300 or 400 people there. It was not equally divided. There were a few supporters of extension of funding. I must say the majority of people were very frightened about the implications for their community. I must also say that when I was invited to that meeting, I was told it was going to be an information meeting, as were the candidates for the other two parties. That is how it had been advertised.

To show how the issue developed, the flier that went out for that meeting started off by saying, "We must work together as a community to implement this new policy." The next line was, "Did you know the Catholics may take our school?"

Unfortunately, in some areas of the province that was the kind of thing that was happening because of the fears. As I said, many of those fears were legitimate. I think some of the community leaders in Essex county failed the test of leadership. The Essex County Roman Catholic Separate School Board put out a plan whereby extension of funding could take place. Instead of putting out a reasonable plan, they put out a plan that gave everybody the indication they were going to take schools away from people. In fact, that is what the chairman of the board had said.

On the other hand, the public board responded in kind and said: "There is no damned way you are going to take any of our schools. We disagree

with it. We do not want another Ireland;" and all of the other rhetoric that builds up difficulties within communities.

**9:10 p.m.**

I was very disappointed that district 34 of the Ontario Secondary School Teachers' Federation did not show any leadership that would have helped the community deal with this very important issue, unlike other districts of the OSSTF including district 1. I do not want it to be misinterpreted that it is because it is district 1, Windsor, that I am saying it was good and the county was not. The fact is district 1 of OSSTF has put together what I consider to be a positive brief that offers some very positive suggestions accepting the principle that extension of funding is going to occur in Ontario.

I had difficulty during the election dealing with the literally hundreds of people who approached me about this issue. I am sure there are many others in the Legislature who had the same feeling I did. Instead of enjoying canvassing and going out and meeting with the voters, it got to the point at the end of the election campaign that it was very difficult to go out and meet voters knowing this issue was going to come up time and time again. Members knew they did not have the answers to many of the questions that were being asked.

Canvassing is something I normally enjoy, but it turned out in this election to be something I did my darnedest to avoid. Perhaps if I had done more canvassing, I would not be here today. None the less, I did some. It was a very difficult election for all of us because of this issue. It was something people did not seem to understand, or refused to accept. This whole extension of funding has been interpreted as setting up a brand-new school system.

You, Mr. Speaker, and the other members of the Legislature, understand that we are not talking about a brand-new school system. We are talking about extending funding to a group of students, many of whom in my riding would not have been able to afford to stay in the Catholic school system because of the high tuition. We are talking about extending an existing school system for two years, so both public school systems are funded in an equitable and fair way, something that was negotiated long before any of us were in the province, long before any of us were even thought of.

Instead, this issue has been thought of by many people who are opposed to extension of funding as starting something brand new. Somehow we, as legislators, the government and other respon-

sible groups in this province, were unable or unwilling to communicate some of the facts to the people of this province.

I know many Catholic families in my riding who sent their children to elementary Catholic school and dearly wanted the students to be able to continue in the secondary Catholic school system, but were either unable to afford it or their children were unable to obtain access to the types of programs they wanted to go into, such as technical programs or business programs. I am very proud of the fact I am going to be able to participate in a process that will end that inequity in Ontario forever.

As I said before, there are some legitimate concerns. If this policy had been implemented in 1971, it would have been much simpler. I think we are going to have to look at some of the other problems, such as ageing teachers, which this legislation might not be able to deal with. With the extension of funding combined with declining enrolment, the population of teachers is ageing, and there are not enough new teachers coming into the system. Without new blood, the system in general is going to become tired and any enthusiasm is going to go out of it. We have to look at a way of dealing with that.

I refer the minister to the brief that was presented to the commission by district 1, OSSTF. Some of the highlights of that brief looked at reforms of the superannuation plan, early retirement incentives, eliminating the 90 factor and replacing it with an 85 factor and other amendments that would allow teachers, for example business teachers who have been in the private sector before they entered their teaching careers, to be able to buy back the credits when they were in the private sector, even if they were in a business that did not have a private pension plan because it was a small business. There are going to have to be some amendments to the superannuation fund so teachers who want to retire can retire with a decent pension, without penalties.

A few years ago, when the automobile industry was going through very serious problems and there were structural changes taking place in the auto industry, the federal government recognized there had to be some kind of incentives for retirement. They recognized there had to be some provision for retirement funds for those who, at certain ages, were losing their jobs. One of the things the government is going to have to look at is some special incentive for teachers who want to retire so they can do so, bringing new teachers, new blood that is so essential, into

the system. It will not occur with declining enrolment combined with the extension of funding.

I would like to finish by saying I think all three political parties made a very serious mistake in not dealing with the issue in the last year. If we are honest, we will agree that we made a mistake in not debating it before and during the election; not the principle of extension of funding, but how that extension of funding was to take place. If we have learned nothing else from that election, surely to God we realize this was the major issue on the minds of the voters right across Ontario.

Because we failed the people of the province by not showing leadership, there have been more serious problems than need be. Now that we have the opportunity to deal with the issue in the Legislature and in committee, we cannot make the same mistake. The debate that I have heard while in the Legislature and from my office has been at a very high level. I just hope the same level and tone will be maintained for the rest of the debate and in the committee.

Since we failed last year, I believe we can correct the problem. We can come up with a bill that will have as much support as possible in Ontario. Together all three political parties can show that leadership.

**Hon. Mr. Sweeney:** Mr. Speaker, I wondered for many years whether I would ever have the chance to stand up to speak in this Legislature on this issue.

I vividly recall June 12 last year when the then Premier made his announcement. It struck me rather forcefully then that there was a certain irony in his choice of date. Some members will be aware that it was June 12, 1928 that the Privy Council in England brought down the Tiny township decision that the province had the right but it did not have the obligation to fund separate schools at the secondary school level. I struck me as rather appropriate that the Premier chose that date. I do not know if it was deliberate or pure coincidence.

I was struck by the reasons the then Premier gave. I remember so clearly in 1971 the reasons given for not extending support to separate schools. They turned out to be the very reasons Premier William Davis gave on June 12, 1984 for doing so. I remember so well in 1971, the then Premier announcing that he could not support the extension because he believed personally—I believe personally, deeply—that it would be divisive. He said he believed it would do harm to the public school system in the province, that it



would so fracture it and so segment it that it simply could not survive.

9:20 p.m.

In 1971, I had some difficulty accepting that argument. I accepted the genuineness of then Premier Davis's position. However, I did not agree with him. The record, as I had experienced it, simply did not seem to justify that point. Nevertheless, that is what we had to deal with.

I thought it was appropriate that William Davis stood up in his place, now in front of me, just a little more than a year ago and clearly pointed out in his statement that in the intervening 13-year period he had come to the conclusion that this issue would not be divisive. He had come to the conclusion that the public school system in this province was strong and viable enough not to be fractured or segmented by this decision.

I thought it was so appropriate that particular political leader had come through a 13-year period, had thought about the issue very long and deeply and had consulted fairly widely with other people, both those who supported and those who opposed the issue, who had taken such a strong position in 1971—in fact he said at the time he was placing his political reputation on the line by taking it—I thought it was appropriate that political leader could stand up a little more than a year ago and say: "Times have changed. I have changed and the people of this province have changed. We have reached a level of maturity, understanding and sensitivity where we can look at this issue in a different way."

Perhaps it was that kind of statement, coming from that man with that background, that gave us reason to believe in the decision more than anything else. Any one of us here could have come to that conclusion, but we come from different backgrounds, we come from different political situations than his. I hope that tonight and in the days following, as we debate this issue, we can recall whence the decision came. That is fundamental and so important.

There was a reference earlier by some members opposite about the question of access and the fact that through the years there has been open and unlimited access for all students to either school system. We should recognize that there is a significant difference, depending on the level of the school system we are talking about. In his opening statement, my colleague the Minister of Education made very clear that his intent was simply to continue into the secondary school system the same principles that currently apply and in the past have applied at the elementary school level.

I draw to the attention of some of my honourable colleagues opposite—I am sure on reflection they realize this—that in the past and today there is no automatic right of access to the elementary school system of this province, be it public or separate, if one happens to be a tax supporter of the other system. A public school supporter does not have the right to send his or her child into the separate elementary schools. Conversely, a separate school supporter does not have, and never has had, the right to send his or her child into the public elementary school system.

The right of absolute access has never existed. It has existed at the secondary school level, but for a very obvious reason: we have had only one publicly supported secondary school system to which every taxpayer must direct his or her taxes. While some taxpayers in this province have the right to choose at the elementary level, they have had no right to choose at the secondary level. All must direct their taxes to the public secondary school system of this province; therefore, it is reasonable, just and completely understandable that there would be no blockage to access at the secondary school level. I think we have to recognize the difference between the two.

It has been brought up by many members this evening that the issue we are dealing with goes back into the history of our province. The protection and guarantees of the British North American Act were that separate schools in Canada that existed prior to 1867 would be guaranteed their continued existence following 1867. We all know that. The interesting thing is that the only province in Canada that made a distinction in future years between elementary and secondary support was Ontario.

The first separate schools set up in this country were Protestant separate schools in Quebec, and rightly so. The non-Catholic, English-speaking population of Quebec asked for and received the right to operate their own schools so they would not be controlled by the French-speaking, Roman Catholics of that province. That is where separate schools started in this country. It was only later that the Catholic minority of Ontario asked for and received the same privilege in this province. That was the constitutional guarantee of 1867 under Confederation.

It is interesting to note that as the educational system evolved in Quebec, no distinction was made between elementary and higher grades. As it came to be seen in Quebec that its elementary education was not sufficient and that a secondary school education was a requirement for all young

people, no distinction whatever was made there with respect to funding elementary and secondary schools for both public and separate school systems. That distinction was never made in Quebec; but it was made in Ontario, and that is where the battle has been ever since.

**9:30 p.m.**

It is also interesting to note that two western provinces, Saskatchewan and Alberta, have gone through the same process we have. They made the decision that their separate school systems should be funded to the end of the secondary schools. It is interesting that the decisions were made under different kinds of governments. My New Democratic Party friends will remember it was an NDP government in Saskatchewan that extended secondary school funding to the separate schools of that province.

**An hon. member:** What happened to them? They got defeated too.

**Hon. Mr. Sweeney:** There are some parts of history we will deliberately ignore.

The point I was going to make was that we in this Legislature are facing some members of the public who still bring up to us the same kinds of arguments which I believe Premier William Davis so clearly enunciated and so clearly demolished. If we look at Saskatchewan, Alberta and Quebec, we do not see any evidence of that. People tell us, "It is going to happen in Ontario." Well why is it going to happen in Ontario? Why is Ontario so different? Why are we so different from our fellow Canadians in Newfoundland, Quebec, Saskatchewan or Alberta? It is true that we are more populous. It is true that in some ways we are more wealthy. It is true that in many ways we are much more of a multicultural community. I will admit to all those, but in the kind of people we are, the kind of values we have and the kind of desires and aspirations we have for our children, we are fundamentally no different.

If we have to make a guess about the future, and that is something we are often faced with, why should we not look at those jurisdictions that have already gone through what we are now going through and see that the prophecies of doom have not happened? We can comfort ourselves with the fact that they are not likely to happen here. The record seems to show, although anything is possible, it is unlikely that those prophecies of doom are going to take place in Ontario. I do not believe they will. It certainly has not been my experience. I lived in Toronto for 15 or 16 years. I have lived in the smaller community of Kitchener for a number of years. I

think I have some sense of where our people are at, and I do not believe that is going to happen.

The observation has been made, and I suspect all of us in this House were on the receiving end of it during the election, that we as elected members of Ontario are making decisions without reference to the public. Let us stop for a second and take a look at that. Why are we here? Why were we elected? Why did we place ourselves before the electorate? Surely it was to make such decisions.

Surely there is not one of us in this House who does not have as much access to and as much information about this issue as anyone else in this province. I am not suggesting that we make decisions without reference to anyone else. What I find a little bit frustrating and disquieting is the suggestion that somehow or other we do not know what is going on, we do not know how people feel and we do not know why they might object to this or why they might support it. Surely, if any people have access to that information, to those attitudes and to those feelings, it is the elected members of this House.

We are going beyond that. It has been made very clear that provision has been made now for public hearings. To suggest that this issue has never been discussed, debated or seriously considered is simply to ignore the historical facts. This is not a new issue in Ontario; it has been discussed for 140 years. There is not a single member in this House, whether newly elected or re-elected, who has not been faced with this issue in some way in his or her community and riding. It ignores the facts to suggest that we do not know what we are talking about or that we do not know what this issue is all about. We do.

We have made provision under this legislation and under the process of introducing this legislation to have open hearings, as we should. We have made provision for a reference to the courts, to assure ourselves that it is legal, as we should. However, let us not as elected members of this House accept the premise, as some suggest, that we do not know what we are talking about, that we have not considered this seriously and that somehow or another we are less representative than anyone else. That simply is not the fact.

I have always found it difficult to understand the argument that somehow it would be preferable to have a single school system in this province. Look at the kind of multifaceted society we live in, at the range of values people in our society have and at the multicultural nature of



our society. It has to be obvious that there are so many different ways people look at life, at our aspirations for our children and at our values.

When we look at those various institutions in our society that impinge on our value formation, we do not find one dominating in any way. For example, we do not find a single church or a single communication system dominating our whole society. In a democratic society such as ours, we would object strongly if either of those kinds of institutions, or all others, were to attempt to be the sole one to impinge on our value and attitudinal system. We would not accept that as a society.

How do some of our colleagues and citizens come to the conclusion, when it comes to a school system that plays such an important and in many ways all-encompassing role in the formation of values, beliefs and attitudes, that we should have only one? I have always had some difficulty understanding that. It seems to go against the grain of the very kind of society we have constituted in Ontario.

I want to say, as some of my colleagues have said earlier this evening and today, how impressed I am by the kind of debate that is taking place and its openness, and by how genuinely members of this Legislature are expressing their personal views. I recall one of my colleagues indicating not being able to recall in the 10 years he has been in this House a debate in which we were as open as we are now. That refers to people on both sides of the issue. There will be some of our colleagues who will stand in their places and indicate their objections. That is the way it should be. I have no objection to that whatsoever.

What we are doing is truly historic. I had to feel a certain sense of history when my colleague the Attorney General got up and reminded us that in 1863 his great-grandfather introduced an educational act into this Legislature, and here he was almost 122 years later being personally and deeply involved in another piece of educational legislation. That sense of history, that sense of understanding where we come from and where we are going is reflected to a large extent in this legislation.

9:40 p.m.

I am proud to be a member of this Legislature at this time. I am proud of being able to be involved in this, and I am proud of the involvement of all my colleagues.

**Mr. J. M. Johnson:** Just to dispel any illusions, I will say quite simply that I intend to support this bill, but I do so with the hope that the

Minister of Education will listen to the input from the committee and accept reasonable amendments, if so presented.

I have some concerns and I would like to express them now. The member for Kitchener-Wilmot (Mr. Sweeney) mentioned a member who had said that in 10 years in this House this was one of the most important debates in which he had entered. I think back three or four years when we had the human rights legislation before us.

To me, that was extremely important and just as emotional as this because, in my estimation, very seldom is anything totally black or totally white, it is always somewhere in between. Some people call it a compromise, but it is just good common sense. One very seldom arrives at a complete decision on one side or the other. What we are dealing with tonight is something which falls within this spectrum.

I have many concerns to express on both sides of the issue for my constituents. There is the concern expressed by a small community in my riding that has one small high school which is currently threatened with closure because of declining enrolment. What future do they see if a Catholic school is created somewhere in the proximity of those communities which will siphon off an additional 20 or 30 per cent of the school population? This is a valid concern.

I would like to pay tribute to the member for Windsor-Riverside (Mr. D. S. Cooke) for his comment that we as legislators failed in not addressing this problem in the last year. With the exception of course of the new members, we were all collectively remiss. Certainly I, as a member who was here during that period, feel we were remiss not to address this issue before.

We were like ostriches who stuck our heads in the sand and thought it would go away. We thought that because of the three-party committee agreement everything was fine, when it was not. We failed our constituents by not addressing the issue. We had many days during which we could have debated this in this House. I feel bad about it and I personally feel a sense of responsibility for not having addressed it. I think many of the members should share that concern.

I have a few questions I would like to address to the Minister of Education, or at least to his party, to consider. One is accessibility. It bothers me that we are correcting one injustice by possibly creating another, or at least there is the perception of an injustice. It is my understanding that Roman Catholic students can choose which

school to attend, but Protestants can only attend the school if space is available.

As I understand it, under Bill 30 non-Roman Catholics will not be allowed to change their tax support from public to separate schools. If that is the case, it is something we should consider. I understand also it is estimated that in three years \$333 million will be spent to fund separate schools. If this is the actual amount of money, does it come out of the public system? Are we decreasing support in one system to benefit another? What happens to the other system? Can it get along without this support?

On the issue of identifying of surplus teachers, Bill 30 would protect staff made surplus by this new funding plan. However, boards of education cannot tell which teachers are surplus because of extended funding and which are surplus because of declining enrolment. Are surplus staff members to be subject to a type of lottery system to determine who receives a job?

There is concern expressed that if we delayed the implementation of the bill we would create problems for students entering the separate school system. I can understand that, but what happens if the courts rule against the constitutionality of the bill? Will that create further complications and even more serious ones?

One other concern I have is that if we fund the Roman Catholic secondary school system beyond grade 10, do we then open the floodgates for other religious denominations to request public funding? How do we deny the Dutch Reform and Jewish schools if we fund this other group? I realize there is a difference, but they are going to be asking for it. Has the government made any determination? We are awaiting a report.

All I would suggest now is that we admit what happened last June and up to this time is that we did not have adequate debate and time to listen to the concerns expressed. I would hope when this report comes in the minister will give it full, public discussion, debate it in the Legislature and have hearings as well to determine whether we are going into this other field. I think it is something that should be decided by the will of the majority of the people of the province as well as the legislators.

It was always my understanding that we act as servants of the public and not as masters. I am not sure that is exactly what has happened this past year. I would only hope it will not occur in this next problem area we will be dealing with in the near future.

I understand the Liberal Party takes the position that private and independent schools should be looked at by a royal commission or a select committee of the Legislature before a decision is made. I would strongly support something of this nature so that we are not caught in another bind.

We in this Legislature owe our constituents answers to these and many other questions to be raised before we can take credit for passing Bill 30. I would think most of us will support it with the understanding that we have debate in the Legislature, which is occurring now, but also that some input from the public in the hearings we are having will be taken into account. If we are just simply going through the formalities with no intentions of accepting amendments, I do not think that is acceptable. I hope we will listen to the people who make presentations to the commission.

**9:50 p.m.**

**Mr. Swart:** Perhaps I can begin, Mr. Deputy Speaker, as my colleague the member for Windsor-Riverside did, by extending congratulations to you on your selection as Deputy Speaker and through you my congratulations to the Speaker.

Unlike my colleague, who gently chastised the Speaker for reprimanding him for his long questions, I am never guilty of that, as my colleagues of course know. Therefore, I just want to say through you to him I hope he keeps up the practice. When we can get four back-bencher questions from each of the two opposition parties in one day, I think that is something we should continue.

I would also like to extend my congratulations to the Minister of Education for the way he has handled Bill 30 and this whole issue since he became minister. He has certainly taken pains to be noncombative. I might have been going a bit far had I said he has been statesmanlike, but whatever, I admire the way he has handled this issue up to this time.

**Mr. Wildman:** He has even been reading about it. He has been reading the New Statesman.

**Mr. Swart:** Yes. Even when he has been provoked on occasion, he has given mild answers to provocative questions.

I want to take part in this debate although I guess I am really not going to say anything new. Everything that can be said has been said or will be said several times during this debate and the discussions that have led up to it. Rather, there are three other reasons.



First, as has been said already, this is an historic occasion. Second, it is terribly important. Third, the principle we are debating today is controversial and, for what little value it may have, I want to be publicly on record as supporting this. I want to try to convince as many people as I can that the right move is being made by this Legislature in dealing with this bill.

Also, I want to speak on it because, as many of you will not know, I have been involved in this issue for many years. In fact, it was 19 or 20 years ago that I was asked as a Protestant municipal leader to speak to the annual dinner of the Ontario Secondary School Teachers' Federation of Welland County, as it was then known. My allotted subject was whether it was desirable to provide full funding for the Catholic high schools.

That request led me to do some reading and thinking about the separate school and the Catholic high school system. The results of my study were in that speech. The high school teachers in the public system got 15 minutes of argument from me supporting the continuation of the separate school system. I argued that Catholic high schools should receive public funding on the same basis as the secondary schools in the public system.

I am not sure whether it was a very smart political move to make that kind of a speech to the OSSTF at the time, but it was a conclusion to which I had come after my investigation.

There were four reasons I took that position. I think they were valid then and are so today and they are some of the reasons I am supporting this bill. The first thing I had to recognize, as I think we all recognize, is that there are already two systems in our society at the present time.

I have received substantial mail—I suppose somewhere between 150 and 200 letters—on this funding issue. A great majority of those—I guess five to one—are in support of the extension of funding for Catholic high schools. But of the letters of opposition I have received, the majority of them are really in opposition to the separate system. They are honest in their views, but they are not really as much in opposition to the extension of funding as they are to the separate system. We already have a separate system. We have it under the British North America Act. Let us make no mistake about that.

The second reason I supported it then and support it now is that I was convinced it was the intention of the British North America Act to have two complete systems. The member for

Kitchener-Wilmot mentioned the Tiny township case, with which we are all more or less familiar.

The Privy Council made the legal decision on this matter. Incidentally I do not think it was a unanimous decision. It was a split decision if I remember correctly. That was on section 93 of the BNA Act, which states:

"In and for each province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:

"(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union."

We are all familiar with that.

At that time there were two equal systems. There was a law of 1853, the Supplementary School Act, in Upper Canada which provided for: "Exemption of all supporters of separate schools from taxation for public school purposes if they contribute in rates or subscriptions an amount equal to the tax to which they would have been liable under assessment for public school purposes, had the separate schools not existed and each separate school shared in the legislative common school grant in proportion to the average attendance of pupils in relation to the whole average attendance for the municipality."

There was total equality of the two systems for the complete systems that were in force at that time. There is no doubt in my mind that it was the intent of the British North America Act that should continue. Even though the Privy Council, and I guess the appeal court, ruled that the province was not obligated legally to provide that funding, I still believe the moral intent was there that it should.

For that reason I supported it at that time. I also supported it then and do now because I think it gives us a greater degree of fairness. I know that over the years Catholics have paid their taxes into the public school system and then had to pay their tuition afterwards. In most cases, even those in grades 9 and 10 paid tuition to help those in grades 11, 12 and 13; yet they paid their public school taxes as well.

I also think it provides greater fairness because students will not have to change from the separate school system when they get to grade 10 if they cannot afford to pay the tuition fees for grades 11, 12 and 13. As we know, many of them change at the end of grade 8.

As the member for Kitchener-Wilmot said, there may be some merit in having two competi-

tive systems. I know of many people who have had their children change from one system to the other, frequently with difficulty, because they felt one system was better than the other. I think there is some merit in having two complete systems in this province instead of having a monolithic system.

For those four basic reasons, I supported the extension of funding then and I support it now. It was partly as a result of the speech I made to those high school teachers and the information I assembled that I moved a motion at our New Democratic Party riding association in Welland in 1967, I believe it was. It was one of the resolutions at the provincial convention of our party, which is held every two years. A committee was set up to study it. It became party policy in 1970 and we have stuck with it and re-endorsed it.

I have here the resolution that was passed recently at our provincial council meeting, which is the governing body of the NDP in between our biennial provincial conventions. I do not think a count was made, but it would be fair to say it was probably passed by a margin or five to one at that June 15, 1985, meeting.

**10 p.m.**

It says: "Therefore, be it resolved that this council reaffirm the 1984 convention resolution on separate schools, stressing the need for job security for all workers in the public school system, a commitment to increase funding for public education to levels adequate to meet the needs of students, teachers and society and a shift of education costs away from property taxes to general provincial tax sources;

"That our caucus members insist on a full and open public debate through the Legislature and support legislation to begin the phased implementation of extended and full funding in September 1985;

"That we support the full protection of all public board employees who move to the separate system in accordance with the common guidelines adopted by the Ontario Teachers' Federation as it affects teachers and in accordance with the Canadian Union of Public Employees Ontario division brief to the planning and implementation commission as it affects support staff, including the right to work and advance without discrimination;

"That we believe in full access to the separate system by all students and that in communities with one secondary school the existing secondary schools be maintained;

"That our caucus urge the government to refer the legislation to the Ontario Court of Appeal to address the questions of constitutionality, but this reference should not affect the timing of the implementation; and

"That we recognize legitimate debate within the party about the future form of the public education system in Ontario and commit ourselves to continuing our work through council and convention to renew our educational policy."

That is the end of the resolution. It is not unfair to say these principles are largely embodied in Bill 30, which we are debating at present. Our party, as already mentioned, has been a long-time supporter of this principle of full funding. We do it in our party in a very democratic way, as I am sure everyone in this Legislature recognizes.

The principles embodied in this bill are sound. Whenever major changes are made in any area, there are differences of opinion and legitimate concerns, even controversy. It is not necessary to enumerate all of those in detail at this time. We know there are different views held by the teachers, especially the Ontario Secondary School Teachers' Federation. They have legitimate concerns about jobs, promotion, discrimination in lifestyle or in any other way.

There are concerns among the Roman Catholics. They are worried, with legitimate reason, that their system may be diluted, and to some extent it will be, by the funding and by the provisions of this legislation. They are somewhat worried about having non-Catholic teachers who may not believe in the faith teaching in their schools and serving as role models for the children. They are concerned about non-Catholic students not having to take part in religious education. They have real and legitimate concerns.

The public has legitimate concerns about whether the educational system we have will be fragmented, whether the viability will continue. Then there are concerns about access, the rights of students and parents to use the school system of their choice. Those concerns are very real; and no bill or legislation can totally resolve some of these conflicting concerns and views, they will continue.

I want to commend all parties concerned for the progress we have made and for their conciliatory attitudes to date. There is an absence of bigotry. It is all working out very well. There are 38 agreements now between boards, out of a possible 59, something of that nature. Eight have decided they will wait for another year.



That demonstrates a tremendous amount of co-operation between the two boards, and success to date in this whole matter of the funding of the Catholic high schools and eliminating to a very large extent the controversy and animosity that exists.

The planning and implementation committee has done a fabulous job to date. I commend the then Premier, William Davis, the then Minister of Education and the Ministry of Education for the choice of the committee and its terms of reference. I think we all agree they were good and dealt with the real problems that could arise during this implementation program.

I am convinced that further steps can go as smoothly as have the ones to this date if we as politicians, and that is all of us, do not try to make problems; if we do not succumb to some prejudice which we ourselves may hold, or try to make some political points during this implementation period.

Although the Conservative government was to be commended for ultimately reversing its position and for the personnel in terms of reference of the committee, the other procedures it has followed from the time that announcement was made back on June 12, 1984 have left something to be desired. I am not going to sound a great sour note here, but I do want to just mention a very few of these things.

First, the very announcement by the then Premier back on June 12 was sudden and it was made without consultation, I guess even with members of his own government. That is not the best of leadership. Leadership means taking some time to prepare the ground and to consult and to hear from others and to digest others' views. The views of his own party at that time were not considered. There is some question too of following through once one has taken some major steps like this, to see it is implemented. The previous Premier did not do that. He retired in October.

During that time, the opposition parties, the Liberals and the New Democrats, did not play politics in any way, even though we may not have been happy with the sudden announcement. There was really no criticism. We applauded what the government had done. We did not in any way try to embarrass the government during that time all through the summer and fall.

There was no legislation brought forward in the fall, which in retrospect now we think should have been done. It could have been discussed during the winter and during the spring. After all, there were four months from the time the

announcement was made by the Premier until we convened again in the fall. There could have been legislation, even if it had to be changed at a later date. There could have been legislation brought before this Legislature during that period.

There was repeated refusal to agree to release basic information such as the implementation plans of separate boards and the impact statements prepared by public boards which might well have assuaged public fears. The planning and implementation commission wanted to provide such information and a full briefing to the opposition leaders during the election, but the government vetoed that step on this issue as on many other important matters. The government did not want it to become an issue so they kept it on the back burner.

The member for Muskoka (Mr. F. S. Miller) was widely understood to have backed away from his party's formal support for implementation. He told the press, "All the rules have changed," a day or two after the election. Although he subsequently tried to suggest he had not meant to cut and run, presumably because the press and public reaction was generally adverse, this equivocation did a lot to undermine his own and his party's credibility on this issue.

The member for St. Andrew-St. Patrick (Mr. Grossman), the new Minister of Education, refused our repeated requests to table relevant information. He failed to table a bill even though nine or 11 drafts were supposedly in existence.

#### 10:10 p.m.

Mr. Davis set the ball rolling on June 12, 1984. It was 371 days later, on June 18, 1985 when the government of the then Premier, now the Leader of the Opposition, fell without having steeled its nerves to take the decisions necessary to place the bill on Orders and Notices.

Few people believe that delay was not for political reasons. Even though their own foot-dragging had backed up the process and made it obvious we could not have a bill, a court decision, public hearings and third reading by September 1, the date set as the beginning of full funding, the Tories had the nerve to warn, in the speech by the Leader of the Opposition just minutes before the government fell, that their successors had better be ready to fight if they planned to "ram through" the Davis initiative.

In their questioning from the opposition benches, the Tories have not kept entirely away from trying to make some political points out of this issue. They had the nerve to demand that implementation plans and draft bills be tabled at once.

The member for Cochrane South (Mr. Pope) said he had legal advice to the effect that grades 9 and 10 could be jeopardized by any reference to the court, despite the fact that opponents are emphatically committed to challenging the extension of funding in court regardless of government action over a court reference.

The member for Don Mills (Mr. Timbrell) attacked the accessibility restrictions contained in Bill 30, in blithe disregard of the fact it was precisely this stipulation that Premier Davis had put into his statement. His statement made the qualification: if there was room, if there was accommodation.

Even after his government fell, the then Premier, the member for Muskoka, said he doubted whether they would have had time to implement it by September 1.

So on this issue, there has been to this point—I am not saying it has been massive—some playing of politics by the Conservative Party. However, I want to say very openly and frankly that I have been impressed with the comments of members of the Conservative Party here this evening, as well as by those of my own colleagues and members of the Liberal Party. I hope this tone permeates the Conservative approach during the remainder of the implementation period.

There will be honest differences of opinion. Some people feel strongly about this. There will be many details on which we will not agree. For instance, I have some real reservations—and I am not sure anybody else shares them—that this bill will not be given third reading this fall. It is going to be referred to the courts without being given third reading.

Surely almost every piece of legislation that is dealt with in this House can be challenged in the courts. If we did pass third reading as soon as the public hearings are finished—and we may see amendments, if any are going to be made—perhaps that would give greater assurance to some of those people who are affected, that it will be carried out rather than having to wait for some indefinite period of time to get this ruling and then after that have the bill become law. I am not a lawyer and I cannot tell whether there are any legal problems in doing that, but I would feel more comfortable.

My colleague the member for Algoma (Mr. Wildman) mentioned another great concern, the question of adequate funding. If anything would tear apart this good feeling that exists generally today it would be the absence of adequate funding, and a feeling in the public system that somehow or other it does not have as much

funding to operate on now; that the system is not as viable due to a shortage of funds. I agree with my colleague from Algoma.

In spite of what I might consider as its shortcomings, I will support the legislation on second and third readings and I will defend it in my constituency as I have done to date. I believe the principle is sound and will lead to greater fairness. I think on balance it will improve the quality of education and, if handled properly, will do more to unite than to divide the people of this province.

**Hon. Mr. Nixon:** I want to congratulate the Minister of Education for bringing in such a well-thought-out bill for consideration by this House. There were a number of alternatives open to him, as there were to his predecessor, and he had the courage to select one and convince his colleagues in the Liberal caucus it was fair and advisable to present it to this House.

I also thought it was fortunate for the new government of Ontario that he was joined in his statement last Thursday by the Attorney General, who put forward his position that the bill would be tested in the Supreme Court of Ontario so as to set to rest those nagging fears that many people had on both sides of the issue that eventually the test would have to come and all would depend on the wisdom of their lordships.

I do not think the government is risking anything unduly by moving to put the issue before the Supreme Court. Certainly there were others who were prepared to do that at the earliest opportunity. We know those people are well advised whose contention it is that the concept is improper under our constitutional requirements, and the case before the Supreme Court is going to be anything but a pro forma reference.

It will be at least as interesting and important as what is going on even tonight, if I may be so modest as to say that, but I am glad to stand as a colleague of the Minister of Education and the Attorney General and say, along with the member who just sat down, that I am prepared to support this bill on first, second and third readings and in my constituency. I also feel it is going to contribute to the unity of the province and to the overall quality of our education system.

It is certainly a historic occasion. With the passage of this bill and the assumption by the people of the province that this continuing, century-old issue is finally laid to rest with justice on all sides, with both sides equally recognized and accepted throughout the community, by the government and by the Treasurer, there may well



be a feeling that in the long run the issue will be accepted, that the concept of parallel education systems will be considered an attribute of this jurisdiction similar to most other provinces and that we can be proud we were here as legislators when this was accomplished.

I also appreciate the statement made by the Education critic for the official opposition in his opening remarks. There was a nagging fear at the back of my mind, and members can understand why I am sensitive in this matter, that the great Progressive Conservative Party of Ontario might find irresistible the political opportunism that would lead it to renounce the leadership brought forward just a year ago by the sainted William Davis. I am sure there were those in the Tory caucus who considered what they must have thought was an easy way back to power. Wiser heads prevailed, because any weakening on that position would have been an easy way to oblivion and the Conservative Party would have reached it even sooner than it will under present circumstances.

**10:20 p.m.**

I am quite sincere when I congratulate the Education critic for stating that he and his colleagues are prepared to support this bill in principle. It means the debate can be carried on in a positive way and all three parties are fulfilling their commitment made to the electorate just a few weeks ago, often at considerable personal cost electorally. I think it is proper the House is unanimous, or nearly so, in support of the principle of this bill.

Just as an aside, I hope the members of the committee, who will have a lot of work put on their shoulders in the next few weeks, will understand that while I am sure they are prepared to listen to any and all reasonable arguments, still the issue of whether we are going to have a fully funded separate system will be settled in this House when second reading is approved.

While people may come in and say we should not go forward with this, still the Legislature, which has the power under the Constitution and the additional moral authority of recent election and re-election, has decided, as I trust we will within the next few days, that in principle we are finally supporting the concept of full funding through the secondary system.

In my opinion, it will be a good committee and will hear good submissions. There was some thought, perhaps going back a month or six weeks ago, that there might be a rather illogical approach on the part of some of the submissions. However, I sense in the community an accep-

tance of equal funding; I sense a bit of the pressure going out of the arguments against this concept. While they will be forcefully and carefully presented to the committee, I predict the arguments will be rational and not overly lengthy, although the committee can expect to be working for a number of weeks. We hope a recommendation and report will be brought back to this House in good time for us to consider the judgements of the Supreme Court, and final enactment will take place in due course.

I am not at all offended by the decision taken by the minister that he can appropriately fund the continuation of the separate system into grade 11 on an interim basis for as long as required, until the bill itself is reported back from the committee and by the court. With good luck, we will find a positive report from both sources and can move on a routine basis to final enactment.

The other thing is, the committee which is so constructed obviously reflects the makeup of this House in its minority configuration. There is no doubt the members will each bear equal and individual responsibility for listening to the arguments and responding with motions, if the committee decides to consider the bill on a clause-by-clause basis. I believe that is up to the committee to decide. The committee may feel it is sufficient to hear the arguments which, by motion today, will be fully recorded in Hansard for the benefit of all members of the House and the public.

It is possible the bill could be reported back for clause-by-clause consideration here. My experience is that is sometimes a judicious way to deal with the situation when the pressure from people intervening is so great it is almost impossible to have a rational consideration on a clause-by-clause basis. The committee can hear the arguments and bring them back into this chamber, where the public can observe, read the results and listen to the public reports of our considerations, but does not have the right to intervene personally.

I predict the committee is going to find its work somewhat easier than some people had previously feared. I believe there will be ample time to hear the arguments and they finally will be put without too much time having passed.

I hope the committee itself will undertake the clause-by-clause consideration. As a House leader, I am sometimes exasperated when, after lengthy consideration in the standing committee, with debate on clauses and formal votes having been taken, the people usually on the losing side of the particular motion insist the same lengthy

arguments be put again in the House, with the same divisions occupying the valuable time of this chamber.

On the other hand, there has to be something we are paid for. Presumably, it is to be here to participate in the debates and to make the final solutions applicable by standing in our place and voting aye or nay.

**Mr. Timbrell:** The members opposite would never have done that.

**Hon. Mr. Nixon:** We were always very co-operative with the former government, as I recall. Is that not the member's recollection? On many occasions we bowed to the will of the former House leader, now the Ontario Agent General in London, who wanted to expedite the public business. He often said to us that he was under great pressure from his ministerial colleagues to get the business moving forward. Whenever he said that, we always immediately acceded to his request. I am sure there are those in the New Democratic Party who can verify that is so.

We hope that aura of co-operation will continue. If there is a point in what I am saying, and that is questionable at this stage—

**Mr. Speaker:** I was listening very carefully.

**Hon. Mr. Nixon:** I was simply saying, Mr. Speaker, I hope the committee will have the opportunity, the energy and the time not only to hear the submissions but also to deal with the bill exhaustively on a clause-by-clause basis. I sincerely hope the House will not have to spend an overly long time correcting any misapprehensions entered into by the committee. Sometimes it is the government that requires additional committee application through the rules of the chamber itself.

The member for Welland-Thorold (Mr. Swart), who just spoke and who always makes an impressive and valuable contribution, mentioned—

**Mr. Swart:** Thank you, cousin.

**Hon. Mr. Nixon:** I think he is a United Empire Loyalist also.

He was talking about his long memory going way back to 1971. In the closing minutes of this debate I want to recall some consternation in the Nixon kitchen in 1936 when I was just starting to take notice of politics in a perfunctory way.

The government of the day, of which my father was a part, had introduced legislation in this chamber to allow the separate schools to share in industrial and commercial assessments. In those days they did not seem to worry about

court references. I am sure it would have been thrown out in a moment under the Constitution, even as it was then understood, without any amendment, but the people had a very strong alternative view.

Even with his charismatic leadership, the Honourable Mitchell F. Hepburn, then the Premier of the province, was not able to convince all the citizens of the province that he had taken the best and wisest decision in supporting the separate system, going back to those days. The test, and the Minister of Education is better equipped to give details of this than I am, was a by-election in Hastings county. Why he thought a by-election in Hastings county was going to be a proper judge of whether people liked Liberals seems to be a strange thing. As far as I know, Hastings is not naturally bent to support the Liberal Party.

In the event, I believe it was Earl Rowe—the former Earl Rowe—leading the official opposition, who went down to Hastings and wrapped the Union Jack around himself with a commitment to anti-papacy and won the by-election in spades. I do not know whether that is the proper reference. It so shook the Premier of the day that the bill was withdrawn and never heard from again until John Roberts decided to do something to aid the separate schools.

On motion by Hon. Mr. Nixon, the debate was adjourned.

**10:30 p.m.**

#### POLICE ACTIVITIES

**Mr. Speaker:** Pursuant to standing order 28, the question that this House do now adjourn is deemed to have been made. The member for Ottawa Centre (Ms. Gigantes) has given notice of dissatisfaction with the answer to a question given by the Attorney General (Mr. Scott). I advise the member that she has up to five minutes to make her comments and the Attorney General has up to five minutes to reply.

**Ms. Gigantes:** In February 1981, about 150 police officers raided Toronto bathhouses and arrested 286 men. More than 300 charges of being found in were laid. A year later, 167 charges had been taken to court and 28 convictions had been registered.

In November 1982, Rob Richardson, a young black man in Ottawa, was walking home at night a few yards from his home when he was stopped by police. He was arrested for suspicion when he refused to give his name. He was taken to the police station and, after questioning, he was released without a charge being filed.



In January 1984, William Franklin Baker, a young black man, was arrested in Hamilton. Under police questioning, he confessed to murder. His father engaged at a cost of \$5,000 a private detective to gather counter-evidence. William Baker says the confession was forced from him by police interrogation methods. In April 1984, the crown stood in court and said the charges were being withdrawn because "there was reason to doubt the veracity of the confession."

In December 1984, police officers in St. Catharines raided a public bathroom and arrested 32 men. Forty-seven charges of gross indecency were laid. The question of how police gathered their information was a very large public issue, particularly as it culminated in the suicide of one young man, well respected in his community.

In June 1985, Kirpar Sandhu, a Canadian of Indian origin, was arrested in his Windsor store and charged with public mischief. Two days earlier, with a friend in his car, he had been stopped on suspicion of driving through a red light. Nick Dubinsky, the friend, laid a complaint against the constable who dealt with the traffic question, alleging that the constable was drunk and abusive during the original incident.

Mr. Dubinsky was also charged with public mischief two days after the incident. He alleges that police detectives who laid the charge tried first to get him to withdraw the complaint he had lodged. Two of three traffic charges against Mr. Sandhu have now been dropped. The public mischief-charges against both have been dropped and the police chief says they are looking for more appropriate charges to lay.

These are incidents that are known to the public in Ontario, and they are perhaps some of the better known of such incidents. There are many others, and we all know of them. They are incidents that raise serious questions that need public answers. Metro Toronto now gets answers through an independent complaints bureau.

The Attorney General compliments the work of the bureau, but he is not ready to say we need comparable mechanisms in other urban areas in Ontario, nor is he willing to release the Ontario Provincial Police report on the serious questions raised by the case of William Franklin Baker. He says it is not the practice of Attorneys General to release reports "that lead or do not lead to the laying of charges." What other kinds of reports could there be when the allegation, still unanswered in the public mind, is that the police used unacceptable tactics to force a false confession?

Ontario has changed. Young people, visible minorities and gay people are having hard times with police in communities across this province. The Attorney General needs to indicate his readiness to move on this matter, and he should begin by releasing the OPP report on the case of William Franklin Baker as an indication of his good intent.

**Hon. Mr. Scott:** I have great sympathy for the concerns the member for Ottawa Centre has expressed and has expanded on. I would like to return to the question she asked me the other day, which has brought us here at this unseemly hour tonight. It was whether we would consider releasing the police-investigation report made to the department as a result of the investigation in the Baker case.

Let us be perfectly clear what we are talking about. Young Baker was charged with murder. During the course of the proceedings, the crown attorney decided the evidence against him, in large part a confession, was not satisfactory. The crown attorney withdrew the charge and, in my respectful view, she was entirely right and acted in the best traditions of the crown in doing so.

As a result, the chief of police in Hamilton-Wentworth caused an investigation to be made by the Ontario Provincial Police into the conduct of certain police officers and Baker. He laid the report of that investigation before the Attorney General to see whether charges should be laid against any of the police officers or Baker. After consultation with law officers of the crown, the previous Attorney General decided there was insufficient evidence to justify the laying of charges.

Now the request is, "We want to see the report." I emphasize to the House there is no recorded example in Canada or in the United Kingdom, of which I am aware, in which an investigative report made for the purposes of deciding whether charges should or should not be laid has been made public. There have been instances when a one-sentence summation of a report has been made public, and that is the case here. The summation is that there is insufficient evidence to lay charges against anybody in this case.

Why should that be so? I think it is worth observing that in the course of the investigation into the conduct of citizens, police officers and Baker, the OPP of necessity has to obtain, record and rely on a good deal of information that may be hearsay, inadmissible in court or often little more than gossip. It is taking the whole of that evidence and placing it before the crown law

officers that leads the crown law officers to conclude whether there is sufficient evidence to lay a charge.

If the Attorney General or the crown law officers decided to lay a charge, I think all would agree it would be wrong to release the report because it would contain much material inadmissible at a trial that would severely prejudice the fairness of that trial.

On the other hand, if the Attorney General decided there is insufficient evidence in the report to lay a charge, should the situation be any different? In my respectful submission, it should not be, because then one would be releasing to the public, unpurgated, what might be hearsay, inadmissible evidence that would damage the reputation of citizens, perhaps including, in this case, Baker himself.

There is one other reason why in this case the report should not be revealed, and that is that Mr. Baker, exercising his civil rights as he is perfectly entitled to do and perhaps should do, is suing the police officers. To release the report in those circumstances might severely prejudice either Baker's right to make his case before a civil jury or the police officers right to make their defence before a civil jury.

I understand my friend's concern, but to release a report in those circumstances would simply be unprecedented and would damage the prospect that the administration of justice would leave my hands at the end of my tenure as significantly unimpaired as it came into my hands.

If the member is concerned about police investigations, she may have questions to direct to my colleague the Solicitor General (Mr. Keyes) about the process of those investigations in a general way. I have no doubt they will be answered entirely to her satisfaction.

10:40 p.m.

#### SOUTH AFRICAN WINES

**Mr. Speaker:** The member for Scarborough-Ellesmere (Mr. Warner) has also given notice of dissatisfaction with the answer to a question given by the Minister of Consumer and Commercial Relations (Mr. Kwinter). I remind him he has up to five minutes to debate the matter and the minister then has up to five minutes to reply.

**Mr. Warner:** What brings us to this delightful hour to discuss the important matters is the minister's response: "On the question of banning the sale of South African wines from the shelves of the Liquor Control Board of Ontario, we will

certainly be looking at this situation very closely and, if it warrants, we will take the action."

This is not a brand-new item. The situation in South Africa has been known a long time. Reasonable and civilized people throughout much of the world have remained patient. Their patience has been tested for many years. We have witnessed a federal government that over the years has not dealt with the problem well.

Finally, we extract from the government some feeble attempt to right the situation in South Africa, at least to make its government aware that Canadians are very unhappy with the way South Africa treats its citizens. We are saying to this country that a government cannot, in this day and age, exist on a racist policy of apartheid. We, as civilized people, want to see an end to that.

I suggested a very small measure: to remove at least the wines. We know from the example in Manitoba, where they did that but made them available on request, sales dropped from approximately 2.3 per cent to 0.3 per cent of the market's share. The drop in revenue is not significant in the total economy of South Africa. I acknowledge that, but at least the symbolic gesture is there from this jurisdiction that we do not want to have trade with people who practise racist policies, with the only country on the face of the earth that operates from the basis of a racist social policy.

My preference would be simply to ban the sale of the wines from the liquor store. However, I did not even ask that. I made the more modest request of simply removing them, as they have done in Manitoba. That is why I am dissatisfied with the minister's response. It is not just myself. The people of Ontario and the members of this House should be dissatisfied with that lack of leadership. It is about time this province took a stand, which would certainly be in keeping with the general tone of the remarks made by the federal government with respect to South Africa.

Leadership is desperately needed because the majority of the people of South Africa cry out for friends. They are in an hour of need, in desperation, and they cry out. The minister responds, "If it warrants, we will take the action." It is too late. The minister has missed the whole point. The situation has been there for years.

What the minister should have done the other day, I respectfully suggest, was simply to say: "I agree with the member. I will take action. It is needed. We must show a hand of friendship to our friends in South Africa and help them in their hour of need."



I am sorely disappointed the minister could not respond. Perhaps tonight, on reflection, he can stand in his place and say: "I am sorry for my remarks. I will take action."

**Hon. Mr. Kwinter:** I would like to respond to the member for Scarborough-Ellesmere. Although Mr. Clark has announced some new trade sanctions on South Africa, I note he is quoted as saying he considered tougher sanctions, such as a complete ban on South African goods, but he rejected them for now because they would hurt the very people Canada is trying to help. Mr. Clark said: "There would be no point at this stage in going to those kinds of extreme measures."

In view of the reason given by the federal government for stopping short of a complete ban on imports of South African goods, I do not think it would be prudent for Ontario to act unilaterally. I do not think it should ban the import of wine without some assurance it would not be a counterproductive move.

However, I am deeply concerned with the plight of South Africans who are oppressed by that country's laws and do not wish to sit idly by if there is some constructive action we can take. We will therefore consult with the federal government to determine whether a ban on the

importing of South African wine would be a useful step to take at this time.

There are some very serious implications under the General Agreement on Tariffs and Trade. Any unilateral action by Ontario really requires a clarification of our options with the federal government before it is taken. We do not operate in a vacuum. For every action there is a reaction. We want to make sure there is no question in our minds. I have stated publicly we are terribly disturbed about what is happening in South Africa, but we do have other considerations.

The procedures of the Liquor Control Board of Ontario for listing wines and other products are really governed by demand as opposed to political considerations. However, we will certainly be keeping in touch with the federal government through the Ministry of Intergovernmental Affairs. We will take action if it can be deemed to be appropriate.

As I say, there is no question in our minds of our sentiment. We are all opposed to what is happening in South Africa, but we do have other responsibilities and we are going to stand by them.

The House adjourned at 10:50 p.m.

## CONTENTS

**Tuesday, July 9, 1985**

### Second reading

<b>Education Amendment Act</b> , Bill 30, Mr. Conway, Ms. Munro, Mr. Cousens, Mr. Wildman, Mr. D. R. Cooke, Ms. Fish, Mr. D. S. Cooke, Mr. Sweeney, Mr. J. M. Johnson, Mr. Swart, Mr. Nixon, adjourned.....	613
---	-----

### Adjournment debate

<b>Police activities</b> , Ms. Gigantes, Mr. Scott.....	634
<b>South African wines</b> , Mr. Warner, Mr. Kwinter.....	636

### Other business

<b>Adjournment</b> .....	637
--------------------------	-----

## SPEAKERS IN THIS ISSUE

Cooke, D. R. (Kitchener L)  
 Cooke, D. S. (Windsor-Riverside NDP)  
 Cousens, W. D. (York Centre PC)  
 Edighoffer, Hon. H. A., Speaker (Perth L)  
 Fish, S. A. (St. George PC)  
 Gigantes, E. (Ottawa Centre NDP)  
 Johnson, J. M. (Wellington-Dufferin-Peel PC)  
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)  
 Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)  
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)  
 Scott, Hon. I. G., Attorney General (St. David L)  
 Swart, M. L. (Welland-Thorold NDP)  
 Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)  
 Warner, D. W. (Scarborough-Ellesmere NDP)  
 Wildman, B. (Algoma NDP)





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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**  
Wednesday, July 10, 1985

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC



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## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, July 10, 1985

The House met at 2 p.m.

Prayers.

## SOUTH AFRICAN WINES

**Mr. Warner:** Mr. Speaker, I have an important point of order to correct the record. You will recall that on Monday of this week I raised a question in the Legislative Assembly regarding the banning of South African wines in our liquor stores. Last evening we had a debate on the matter. Points of view were exchanged and I listened to that exchange attentively.

There is a report in the *Globe and Mail* that is inaccurate; however, unlike the member for St. George (Ms. Fish) I am not about to attack the newspaper. The inaccurate report says, "Ontario considers ban on South African wines."

The Speaker will recall the precise words from the government: "We are all opposed to what is happening in South Africa, but we do have other responsibilities and we are going to stand by them." It is clear the government has no intention of assisting the oppressed peoples of South Africa. Therefore, it is that statement from the government which should be reflected and not the inaccuracy caused by the minister misleading this very responsible newspaper, Canada's national newspaper.

**Mr. Speaker:** I believe the honourable member accused the minister of misleading—

**Mr. Warner:** I said the minister misled the newspaper. He did not mislead me. I knew from the outset he had no intention of assisting the people of South Africa.

## STATEMENTS BY THE MINISTRY

### PROPERTY TAX ASSESSMENTS

**Hon. Mr. Nixon:** A question was asked of me last week in my capacity as Minister of Revenue having to do with an assessment ruling by the Ontario Municipal Board. In response, I said that if an appeal were to be considered, the announcement had to come before July 11. In those circumstances, I have the following statement.

I have studied the impact of the decision of the Ontario Municipal Board of June 26 concerning the assessment of 48 Russell Street in the city of Toronto, and I have considered whether an

appeal would be appropriate. There is no question the case has far-reaching implications for the assessment of renovations and improvements across the province.

Discussion of this case has focused on the issue of whether home owners' attempts to repair and maintain their homes should result in an increase in assessment. I wish to make it clear that it is not now, nor has it ever been, the policy of the ministry to value repairs or maintenance to increase the assessment of the property. I am not therefore concerned with the Russell Street decision as it relates to repairs and maintenance. Consequently, the ministry will not appeal this aspect of the Ontario Municipal Board's decision.

The decision does, however, raise an important issue; namely, whether the assessment of property can remain unchanged, notwithstanding that substantial and significant renovations and improvements have been made to a home or other property over a period of time and have clearly increased the value of the property so its assessment is no longer equitable in relation to other properties in the vicinity.

I am advised that if the board's interpretation of section 63 and its application is correct, the result may be that severe inequities in the assessment system will result. Since the intent of the legislation is to treat all taxpayers consistently and with equity, this aspect of the decision is obviously of serious concern to all property owners and municipalities.

In addition, I have been informed that the Russell Street decision conflicts with previous decisions of the OMB on the valuation of renovations and improvements to the extent that it is questionable whether the Ministry of Revenue or home owners directly affected can understand clearly the procedure the board will use in valuing such changes.

Accordingly, my ministry has instructed counsel to launch an application for leave to appeal pending completion of a review by my ministry of the broader ramifications of this decision. Upon completion of this review, a decision will be made on whether to proceed with the appeal of that part of the decision.

## ENVIRONMENTAL ASSESSMENT

**Hon. Mr. Bradley:** Do both opposition parties have a copy of this statement?

**Mr. Brandt:** Yes; on time too.

**Hon. Mr. Bradley:** I will read it when I find my copy of it then.

**Mr. Brandt:** Would you like to borrow mine?

**Hon. Mr. Bradley:** Would the member like to read it?

On November 25, 1980, the government of the day had an announcement for the members. Harry Parrott, then Minister of the Environment, said Ontario's need for a facility to treat liquid industrial waste was urgent and a site in South Cayuga had been chosen for those facilities.

He also said the Ontario Waste Management Corp. would be formed to develop and operate the facilities and those facilities would be exempted from the normal provisions of the Environmental Assessment Act. In 1980, Donald Chant, the renowned environmentalist chosen to head the Ontario Waste Management Corp., said he regretted the decision to exempt the project from full environmental assessment.

The corporation soon found the flood plains of South Cayuga were unsuitable for an industrial waste management facility and the site was abandoned. However, the government of the day did not retract its decision to avoid environmental assessment, substituting an ad hoc special hearing panel for public review of the proposed facilities. Members will be aware those facilities have not yet been built.

Since his appointment, Dr. Chant and the OWMC have taken the time to do it right, to take a thorough and comprehensive approach to planning and evaluation of all the options, every potential site in Ontario south of the 40th parallel. We are fortunate in that it leaves us in a position to right a long-standing wrong and dispel the cloud of South Cayuga, which still hovers over the OWMC's activities.

I am acting today to cancel the exemption from the Environmental Assessment Act arbitrarily imposed on the OWMC. Dr. Chant has advised me he agrees with and endorses my decision to require full environmental assessment for the OWMC proposals.

The thorough planning program the OWMC has under way will fit right into the environmental assessment process. At the same time, full environmental assessment will improve the quality of the approvals process for these facilities and ultimately the quality of the facilities themselves.

2:10 p.m.

Environmental assessment will allow the OWMC proposals to benefit from the expertise in my ministry and in other government ministries, experienced people who routinely review and comment on other significant projects undergoing environmental assessment.

My ministry's environmental assessment staff and the Environmental Assessment Board are experienced in processing assessment documents and are in a better position to ensure an efficient yet thorough process of full public environmental review of the OWMC proposals. Obviously, they have had to do some work to catch up on what has already taken place, but I assure the House they are more than willing to do this and eager to take on the job.

In taking this decision, I mean no slight to the abilities and capabilities of the people appointed to the special hearing commission set up by the previous government. It is a simple fact that the environmental assessment branch in my ministry and the Environmental Assessment Board have established administrative structures and procedures and considerable experience in making them work. These are significant advantages over any special hearing panel, regardless of how good the people on it are.

In disbanding this special panel, I recognize the efforts the members have made to fulfil their responsibilities and I appreciate their conscientious approach to a difficult challenge.

In summary, I believe this decision at long last will put the OWMC on the right track and dispel some of the lingering effects of the South Cayuga proposal that have clouded the work Dr. Chant and the corporation are doing.

Ontario's showcase hazardous and liquid industrial waste treatment facilities are important. They deserve the best in planning and the best in public review, and both of these are available through the environmental assessment process.

## DASH-8 AIRCRAFT

**Hon. Mr. Fontaine:** Later this year the Ministry of Northern Affairs and Mines will introduce Dash-8 service to northwestern Ontario. The Ontario-built Dash-8 is a fully pressurized, short takeoff and landing intercity commuter aircraft that can fly 496 kilometres an hour at 7,600 metres. The wide-body aircraft seats 37 and features a flight attendant and in-flight services.

As the members are likely aware, the Dash-8 was introduced to the world when norOntair put



its first Dash-8 into commercial service in northeastern Ontario late in 1984. Although the Ministry of Northern Affairs and Mines and the Ontario Northland Transportation Commission have already received some public input in the various localities serviced by norOntair, today I would like to announce to the members and the public a series of community meetings to be held prior to the introduction of the second Dash-8.

Consistent with the government's commitment to openness, we wish to consult with all interested parties before a decision is taken on the Dash-8/Twin Otter route structure in the northwest. The meetings, to be held in Atikokan, Fort Frances, Kenora, Dryden, Red Lake and Terrace Bay, will serve to obtain the views of the public on future norOntair services and routes in the northwest. Interested groups from other municipalities will also be invited to participate in these meetings.

The sessions will be led by a distinguished panel consisting of Jack Stokes of Schreiber, Peter Burns of Dryden and Dick Motlong of Sioux Narrows.

As a member of this House for 18 years, Mr. Stokes has had a long involvement with transportation issues in the north which he will bring to bear in his role as chairman of the panel. Mr. Stokes will be ably assisted by lawyer Peter Burns, who was a northwestern Ontario representative on the ONTC for seven years. Dick Motlong, a tourist outfitter who has held executive positions in a number of industrial organizations, recently took over from Mr. Burns as ONTC's representative for the northwest.

Together, these three have a considerable understanding of the issues affecting transportation in the northwest and sensitivity to the needs of northern residents.

The objective of these community meetings is to gather input on the service now being provided by norOntair and to seek views as to alterations and improvements and, most important, about the potential routing of the second Dash-8.

To facilitate discussion, a brief overview of the role of norOntair, its current service patterns and characteristics of the new aircraft will be provided before each session. It is hoped that any individuals, community groups or representatives of other interested parties will participate by presenting briefs. Further information on times and locations can be obtained from Bill Lees of the Ministry of Northern Affairs and Mines in Kenora, who will be acting as secretary for these meetings.

It is this government's intention to carry through the promise and responsibility to consult with the people of Ontario on decisions that will affect them. I am sure the members will agree that community meetings such as these are an excellent way to ensure that all parties have their say on this important transportation link in northwestern Ontario.

## ORAL QUESTIONS

### FORMER GOVERNMENT'S COMMITMENTS

**Mr. F. S. Miller:** Can the Premier now explain what proof, indications and details he has of "political whim" having been the deciding factor in the \$43-million extra grant given by our administration to the province's hospitals?

**Hon. Mr. Peterson:** Most observers examining the behaviour of the member's government between May 2 and June 26 were not impressed in any regard with the flurry of activity, deathbed repentances and other things. What we have said, and say again, is that we are going to review all the commitments he made on behalf of the province. It is that simple.

**Mr. F. S. Miller:** The Premier did not answer my question, and I have a supplementary for him. I would have thought he would have done his homework. Can the Premier possibly explain how a one per cent increase in the budgets of all the hospitals in this province could have been favouritism or political whim?

**Hon. Mr. Peterson:** I am not here to ascribe motives to the member. He should be judged by his behaviour, by the things he did and by the spate of special payments. We are going to review them on their substance and merit. If one wants to speculate as to his motives then or now, or the motives of the member's colleague to the right, everyone is entitled to do that, just as he speculates on my motives any time he wants to.

**Mr. F. S. Miller:** The facts.

**Hon. Mr. Peterson:** I know the facts, and the facts worry me; that is why we are reviewing them.

**Mr. D. S. Cooke:** Does the Premier not realize that if no extra funding goes to the hospitals now, we are talking about layoffs of between 1,500 and 2,000 hospital workers in this province? Hundreds of hospital beds will be closed, resulting in a backup of elective surgery and people again being put at risk because of underfunding of our hospital system, thanks to the government that was in place. Is he going to

follow the same system the previous government followed of underfunding our hospital system?

**Hon. Mr. Peterson:** We are going to look at this with a great deal of sensitivity. I am very mindful of the general points the member raises with respect to underfunding in a number of areas. We are aware of the government's behaviour last year and that the real legislative transfer turned out to be substantially less than one would have thought from looking at the numbers.

**2:20 p.m.**

It is not our intention to renege on legal commitments, to put anyone's life in jeopardy, to underfund the hospitals or in any way to destroy the system of health care we have in this province. However, as I am sure the member is aware, there is a great deal of discretion when these things go out. We have to make sure it is in the appropriate places and applied to the appropriate needs. I can assure the member our review will in no way result in a lack of sensitivity or real commitment to the things we believe in.

Interjections.

**Mr. Speaker:** Order.

**Mr. Andrewes:** The Premier speaks of discretion, care and fairness. I want to remind him that when this announcement was made, his members stood and applauded. They supported the increase of one per cent going to every hospital in this province. That is clear. Let him demonstrate to me where political whim was shown in that decision.

**Hon. Mr. Peterson:** It was everywhere demonstrated by that government in tatters, in disarray. Look at the political whim right now, Mr. Speaker. The opposition had two Health critics up at the same time. The Speaker called for order and they both got up to respond. They are displaying the same kind of disarray they have had since May 2.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** We are trying the best we can to repair the damage the former government wreaked on this province in the six weeks it had as it was going out. We are doing very well at correcting all that, and I appreciate their help.

**Mr. Pope:** On a point of order, Mr. Speaker: That is not what Keith Davey and Jerry Grafstein told him to say.

Interjections.

**Mr. Speaker:** Order.

## FARMING DEBTS

**Mr. F. S. Miller:** I have a question for the Minister of Agriculture and Food. We had a very large and impressive group outside which he and I met, together with my critic and the Premier (Mr. Peterson). I just want to review a couple of agriculture matters with the minister. In the past—and I want to quote this—the minister has said, “The province will have to cover a portion of farmers’ outstanding debts if they are to survive,” and “The only salvation for many of the farmers is a write-off of some of their debt.”

Does the minister still support a legislated debt write-off or debt assistance for the farmers?

**Hon. Mr. Riddell:** In answer to the question, the Leader of the Opposition should be well aware that the Ontario government has no jurisdiction over giving legislative authority—

**Mr. Wiseman:** Just give us a yes or no.

Interjections.

**Mr. Speaker:** Order. I am sorry, but many members of the House do not want an answer, it appears. I will ask for a supplementary. Do members want an answer?

**Hon. Mr. Riddell:** The Ontario government has no jurisdiction over giving legislative authority to any financial review board to write off, lower or set aside debts. However, a study group commissioned by the federal government, in joint sponsorship with the Ontario government, recommended establishing financial review boards with legislative authority to make a decision, if one was not forthcoming between lender and farmer when they were trying to negotiate some kind of arrangement.

I will be meeting with the federal Minister of Agriculture within the next two weeks and impressing on him the real need, in my estimation, for a financial review board with legislative authority either to set aside or write down debts.

**Mr. Grossman:** The minister is backing off.

**Hon. Mr. Riddell:** No, I am not at all. Will you people stop—

**Mr. Speaker:** Order.

**Mr. Stevenson:** Since the minister is not going to go forward with the statement he made not too long ago, how then is he going to deal with farmers who cannot afford their principal payments, let alone eight per cent interest on whatever loans they may have outstanding?

**Hon. Mr. Riddell:** First, let me send across to the honourable member the phone number of John Wise in Ottawa. I would hope he would



impress upon the federal minister the fact that the agriculture industry in this country is too important simply to ignore. That is exactly what the federal government is doing.

I intend to impress upon him the importance of the agriculture industry not only in this country but in this province. It will then be up to him to institute some kind of financial review board with legislative powers to see if debts can be set aside and written down. I will be there to support our farmers and to impress upon the minister the fact that he has a job to do.

Interjections.

**Mr. Speaker:** Order.

**Mr. Rae:** I know that after 42 years it is difficult, but I would remind the minister that he is now the minister. Rather than asking the members of the defeated opposition party to make representations to Ottawa, he himself should be making those representations. In addition to making representations, there are actions that can be taken.

The province has jurisdiction over property and civil rights. We do not have jurisdiction over banking, but we do have jurisdiction over property and civil rights. As a Legislature, we do have rights to exercise in this province with respect to protecting the family farm and protecting the property that belongs to individual property owners in this province.

Why does the minister hesitate to set up a debt review agency and a debt review board, which is something the province can do with respect to third-party arbitration, when it has the provincial jurisdiction?

**Mr. Speaker:** The question has been asked.

**Mr. Rae:** Why does the minister fear to act when it is something within provincial jurisdiction?

**Hon. Mr. Riddell:** Might I reiterate that we could set up a debt review board, but we cannot set up a debt review board with legislative authority to set aside debt or write down debt, which is what the leader of the third party wants to have done. That is the prerogative of the federal government.

We do not have that legislative authority. We do have the legislative authority to impose a moratorium, but we have checked with the Saskatchewan program and we have not been convinced that placing a moratorium has done anything but prolong the inevitable. The lender under that program is not obligated to write down or set aside debt.

The interest continues to accrue, so what does the government accomplish by setting a moratorium? I want to go to Newfoundland within two weeks, meet the federal Minister of Agriculture and tell him he has an obligation as far as I am concerned to set up review boards with legislative authority to take action.

**Mr. Stevenson:** Clearly the minister has more positions than Carter has pills.

Since the minister has mentioned financial review boards in the new deal for Ontario farmers, which seems to be becoming the new spiel for Ontario farmers, is he intending to announce this week the continuation and support of the Grey-Bruce financial distress review board, as he stated in plank 22 of his program?

**Hon. Mr. Riddell:** The recommendation from the Grey-Bruce study was very similar to the recommendation from the study group sponsored by the federal government, and that was calling for a review board. I do not know how many times I have to tell the member that this government is a law-abiding government; it simply cannot implement programs that are unconstitutional outside of its powers.

2:30 p.m.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Riddell:** As far as my positions are concerned, at least I am prepared to take positions, which the member's party did not do for the last 42 years.

Interjections.

**Mr. Speaker:** Order. I would remind the members that this is question and answer period. Please restrain yourselves.

Interjections.

**Mr. Speaker:** Order.

**Mr. Rae:** It would appear that the bureaucratic body-snatchers have been at work in the ministry. The answers we are getting from the minister are shockingly similar to the ones we used to get from the Tories.

Let me propose this to the minister.

Interjections.

**Mr. Speaker:** Order. I cannot hear a thing. Did you ask a question?

**Mr. Rae:** Not yet, but I am getting there.

In the minister's opinion, what would be wrong with this proposal? What would be wrong with the government taking the initiative to set up a debt review agency, a debt review board, within the powers it has and we have as a Legislature? He could then go the federal

Minister of Agriculture and say: "This is what we are prepared to do. What are you prepared to do?" At least Ontario would have taken the initial step rather than standing back and screaming at Ottawa, which has never been a very effective way to proceed.

Surely it would be better if we proceeded on the basis of what we can do in this province with respect to the three points that have been raised by the farmers, namely, debt review, long-term credit and price stabilization.

**Hon. Mr. Riddell:** I have no objection to setting up a debt review board, while once again reiterating that it would not have any legislative authority to make a decision.

I also want to remind the leader of the third party that there are a number of forums now to which farmers can go in order to have disputes mediated. There are forums within our own assistance programs available at present. The Ontario Federation of Agriculture has an advisory committee, which I understand is working very hard with farmers and creditors to try to mediate disputes. The honourable member should not get the idea that we do not have those forums in existence at present.

If it would make a major impact on my counterpart in Ottawa, I have no objection to seeing a debt review board established to work with lenders and farmers to see if disputes can be mediated, but again I must remind the member that that board would not have legislative authority unless it was granted to it by the federal government.

**Mr. Rae:** This is the most severe case of limousine amnesia we have yet seen in the House. We do not need to have a Liberal Minister of Agriculture and Food in this House defending Tory programs and saying farmers can go back under the Tory program he was criticizing a short two weeks ago. I do not understand that.

Interjections.

**Mr. Rae:** Thanks very much. I appreciate that. No hard feelings.

**Mr. Speaker:** Order. I presume you want to continue by saying, "I wish to ask the minister."

**Mr. Rae:** You took the words right out of my mouth, Mr. Speaker.

The government was elected to do certain things with respect to agriculture. The commitment is supposed to be there very clearly with respect to the three points that have been raised consistently. The first of these is short-term assistance for farmers to deal with the emergency situation. There are evictions happening every

day of the week, and the minister knows that, not only to farmers who plan badly but to people who are facing a real economic crunch. It has been a long time.

The minister has to deal with that problem and also with the longer-term credit problem and the price-support problem I discussed with him yesterday. Can he give us a clearer statement this week while the House is in session of precisely what steps he is going to take within the jurisdiction of Ontario to deal with those issues?

**Hon. Mr. Riddell:** We will be introducing, we hope by the end of this month, an interest subsidy program on existing debt. We trust that program will help a great deal those farmers who are in the greatest need. That program will definitely be coming in. We will live up to that commitment.

We want to make sure we have the best program possible to meet the needs of the farmers. Unlike the former government, which was famous for introducing Band-Aid programs with no long-term thinking whatsoever, we hope to introduce more meaningful programs.

**Mr. Villeneuve:** The Minister of Agriculture and Food well knows that many of the boards and review situations that are in place were put there by the former government. As the minister has just mentioned, they exist. What will he do to improve on those boards?

**Hon. Mr. Riddell:** The member knows very little about how active some of these boards are at the present time in sitting down with the lender and the farmer and in trying to mediate disputes. All the boards in existence at the present time are very busy. I do not know how one can expect them to be any busier than they are.

As I indicated, I will definitely talk over with my colleagues and my staff the establishment of a board—a financial review board or a debt review board, or whatever name we want to give to it. If it requires more manpower to sit down and try to mediate disputes, then I believe we can meet that requirement.

**Mr. Ramsay:** I am glad we have a law-abiding government, but what we want is a lawmaking government when it comes to farmers. When we are talking about a moratorium and debt review agencies, does the minister not know that what we are looking for is breathing space, that this is what the farmer wants? The farmer knows the clock keeps ticking and the interest keeps piling up. He wants to pay back his interest and his principal, but we need some breathing space in the farm financial package. Will the minister please reconsider bringing in some sort



of program so we do not lose farmers every day of the year, as we are doing right now?

**Hon. Mr. Riddell:** The subsidy program is ready to be presented to cabinet. I think the member will see that program in effect by the end of the month. That is what we are striving for. Again, I have to tell the member we can make laws, but we also have to abide by the laws that are made outside of our jurisdiction.

I do not know how many times I have to tell members that I cannot pass legislation in this House establishing financial review boards with legislative authority to make a decision. It is unconstitutional. It is the prerogative of the federal government, in the jurisdiction of the federal government. I shall be impressing upon my counterpart that such a financial review board be considered and put in place by him, as was recommended by the study group he commissioned to look into this farm income program.

#### PROPERTY TAX ASSESSMENTS

**Mr. Rae:** I have a question for the Minister of Revenue with respect to the statement he made today. Once he said "I am advised," and then he said "I have been informed," with respect to the impact of the decision. He says he is advised that the result of the decision of the Ontario Municipal Board "may be that severe inequities in the assessment system will result."

2:40 p.m.

I hope the minister will agree that severe inequities in the assessment system exist today. As the minister said just a couple of days ago, the way in which the rules have been interpreted up until now has been an active discouragement to people to improve the value of their homes and to improve their homes. The issue is on what basis should that revaluation, that reassessment, be made; should it be done on market value or should it not?

Is it the position of the government of Ontario that the reassessment of improved properties should be done on the basis of market value assessment, even when, as is the case in the city of Toronto, all other assessments are not done on the basis of market value?

**Hon. Mr. Nixon:** I want to begin by agreeing with the first indication from the leader of the third party that assessment is certainly not up to the standards we would expect, and we want to improve it. As a member of the opposition, I repeatedly said so and was among those most critical of assessment policy. I would not say that I am delighted, but I am extremely interested to be the minister now responsible. I hope we can

do something to respond to the inadequacies that I, in another capacity, pointed out publicly in this House on many occasions.

Assessment in the city of Toronto is seriously out of date. There is some indication that special assessment advantages to veterans of the First World War still apply to properties as they are assessed here. It is also true that the market value assessment concept has not been accepted in the city, and there is some truth to the criticism that the ministry came into market value assessment by the back door.

I have been very concerned about the Ontario Municipal Board's ruling, the subject of the question and my statement today. I believe it is necessary for me to review the state of the act and its regulations at present. I said we were putting in a notice of appeal and would not continue with the appeal until I had been satisfied by my review that it was necessary. Indications are that we may not proceed with the appeal.

I am also concerned that another review, after the many that have taken place in the past, is something less than what anyone is looking for. I recall Willis Blair, former mayor of East York, present chairman of the Liquor Licence Board of Ontario, undertaking a thorough-going review on market value assessments that led absolutely nowhere. The concept brought into this House by Darcy McKeough in 1969-70, when he centralized the assessment and said they were going to proceed to put assessment on a fair and equitable base across the province and then return it to the municipalities, has been somewhat disappointing. If I were in opposition I would say it has been an abject failure.

My review will be as thorough-going as I can make it. We will not proceed with the appeal if there are changes in the assessment practice or amendments that we can make to bring about the equity that we all seek.

**Mr. Rae:** If, as I hope, the government decides not to proceed with the appeal, would the minister consider taking measures to declare a moratorium with respect to renovations since 1981, indicating that there will not be a reassessment of a home in which repairs or renovations have been made until such time as the owner-occupier sells the home? That would be a clear message to many people who have improved their homes, tried to do something to improve the quality of their own lives and are then faced with a major reassessment of their homes.

Why not send out a very different message from the government of Ontario, that the

property tax system will not be used as a means of punishing people who decide to improve the quality of their lives and homes.

**Hon. Mr. Nixon:** We must be aware that the Assessment Act applies to all property, industrial and commercial, as well as private dwellings. We must also be aware that a good many of the older homes in Toronto have been marvellously improved. You need only drive up and down the streets of some of the older sections to see this very fine improvement indeed.

There is a possibility some inequity will result, on the basis of taxation, if the value of those properties is so substantially improved that the taxes payable, compared to their neighbours, are not commensurate with those improvements.

I cannot make the undertaking that is requested by the leader of the third party at this time, but I simply refer to the fact that we are going to examine it in the next few weeks and months and I hope we will be in the House with amendments to the statute in the fall.

**Mr. Dean:** In view of this decision, will the minister give some kind of undertaking that, in the course of the review he has said he would do, he will look carefully at the effect the whole assessment picture has in the city of Toronto and in Metro Toronto, so that people who have in good faith entered into renovations that are necessary for their enjoyment and the improvement of their houses are not handicapped by immediately being struck in this way? The minister should look at some kind of amendment to the regulations.

**Hon. Mr. Nixon:** I appreciate the honourable member's comments and we will undertake to include that in the review.

**Mr. Reville:** The minister mentioned on July 4 that he was going to release the metropolitan assessment study, and this follows from his statement. I wish he had been prepared to close the back door today. If there are changes as a result of the metropolitan assessment study now released by the government, will the minister undertake to assure the House there will be major improvements to the property tax credit system so those home owners will be able to afford to stay in their houses? It is important to remember we have not had improvements to that system for many years.

**Hon. Mr. Nixon:** Again, that is an interesting alternative the review ought to include.

#### COUNTERVAILING TARIFFS

**Mr. Stevenson:** I have a question for the Minister of Agriculture and Food. As he will well

know, the hog farmers of Ontario are being hammered by United States countervailing action. In two weeks, he will represent Ontario at the agricultural ministers' conference in Newfoundland and countervailing tariffs will no doubt be discussed. What types of possible government assistance programs are not subject to countervailing?

**Hon. Mr. Riddell:** I am not convinced there are many products that would not be subject to countervailing if we decided to subsidize, particularly nonsupply management commodities in this province. That is why it is most important that we get a tripartite stabilization program in effect on a national basis, which we believe would not be considered to be countervailable by the United States. Failing a tripartite program, if we have to implement a bipartite program in Ontario, we do believe it would be considered countervailable.

**Mr. Ramsay:** How long is the minister going to wait for the provincial ministers of agriculture to come to some agreement on tripartite stabilization before he will implement bipartite stabilization in Ontario?

**Hon. Mr. Riddell:** We have a program in the wings now. If we cannot convince the federal minister and the provinces involved that we need a tripartite program and that they can implement it right away, then I will be proposing before cabinet a bipartite program that has already been budgeted. We are ready to go ahead. However, we first have to convince the minister that tripartite is the program that is needed. I believe a bipartite provincial program of any kind is going to be considered countervailable, and we do not want that.

2:50 p.m.

#### AGRICULTURAL FUNDING

**Mr. Ramsay:** When the minister made the announcement today in front of the Legislature to the farmers of Ontario, he said it would go only to viable operations. When the minister announces his farm financial package, I hope in the coming days, who is going to decide who is a viable farmer when the whole ship of farmers is now sinking in this province and there are maybe only 10 per cent existing today who really have viable operations?

**Hon. Mr. Riddell:** The farmers, in applying for the program, will be submitting a farm plan. I believe we have people with the necessary expertise who will be looking at these farm plans and making a determination as to whether the



farmers applying for the program have a viable operation.

**Mr. Ramsay:** Will the minister make sure the plan that is brought in is not something to bail out the banks when it should be bailing out the farmers?

**Hon. Mr. Riddell:** The subsidy will be going directly to the farmers and not to the banks to bail them out.

**Mr. Stevenson:** The supposed new deal for Ontario farmers would indicate that the program would be available to virtually all farmers in Ontario. Is that the case as the minister now expresses it?

**Hon. Mr. Riddell:** There are some farmers in this province, such as the member for Durham-York (Mr. Stevenson), who would go home at night and look over their farming operations and say: "I do not need to take advantage of any government program. I am doing quite all right, Mr. Minister, do not worry about me."

Do not be so foolish as to think that people like the member for Durham-York either expect or would expect to get a handout from the government. We are going to apply our program where the need is the greatest.

#### PLANT SHUTDOWNS

**Mr. Gillies:** My question is to the Minister of Industry and Trade, hoping against hope, I might add, that he knows more about the industrial situation in Ontario than the Premier (Mr. Peterson) knows about hospital funding.

Interjections

**Mr. Gillies:** I thought it was a nice touch.

**Mr. Speaker:** Was that your question?

**Mr. Gillies:** My question to the minister arises out of—

Interjections

**Mr. Speaker:** Order. I wonder if the member for St. Andrew-St. Patrick (Mr. Grossman) could contain himself and allow the member for Brantford to ask a question.

**Mr. Gillies:** I thank you, Mr. Speaker, I am always having trouble with that member.

**Mr. Speaker:** I am sure you will ask the question immediately.

**Mr. Gillies:** My question to the minister arises out of the announcement this morning by the receiver for White Farm Manufacturing Canada Ltd., that the technology and the assets of that company are to be acquired immediately by Massey-Ferguson Ltd., thereby closing the

Brantford plant and leaving 600 workers without jobs.

The commitment of our former government to keeping White Farm a viable operation in Brantford in this province was clear and a matter of record. What is the minister's commitment to White Farm equipment? Is he committed to loan agreements to keep that company operating or did this fall victim to his leader's so-called review of programs?

**Hon. Mr. O'Neil:** That is kind of a hard one, is it not? The former government pretty well controlled this issue up until about a week ago. The member is asking me a question on something that is of major concern, and has been not only for himself and our government but also to the Treasurer (Mr. Nixon).

The former government went into those negotiations and offered the \$7 million towards that plant. I guess that did not work. As the member knows, the receiver and the other company accepted the offer by Massey-Ferguson Ltd. We have received those details as of this morning. We are very upset about it.

**Mr. Grossman:** Terrific.

**Hon. Mr. O'Neil:** Is not the member for St. Andrew-St. Patrick upset about it too?

**Mr. Grossman:** Yes we are, but—

**Mr. Speaker:** Order.

**Hon. Mr. O'Neil:** The former government had it for months and did not do anything about it.

**Mr. Speaker:** Order.

**Mr. Gillies:** I am sure it will be of great satisfaction to 600 workers in my riding to know that the minister is concerned. I know what we did about White Farm. I want to know what he did about White Farm. Since the minister took office he has not opened his mouth once about White Farm.

Now that the operation will be wound down and the assets taken over by Massey-Ferguson, what concrete plans does the minister have to ensure that the farmers who own White Farm equipment will have an uninterrupted supply of parts and service for their equipment? Further, what will the government be doing to ensure that every worker displaced by this shutdown will be retrained and helped to get back into the labour force?

**Hon. Mr. O'Neil:** First of all, might I say that the White Farm technology will stay in Canada and White Farm dealers and customers will continue to receive parts and services. So that part will be looked after.

I have talked with the Minister of Labour (Mr. Wrye) about this and made him acquainted with the details of it. Both his ministry and mine, and this government, will be looking very carefully to see what we can do to make sure those people who are displaced are given every chance and to help them as best we can.

Again, I would go back to the fact that the Conservatives had this in their hands for months and did not really come up with a solution.

**Mr. Grossman:** We offered them money. What did you do?

**Mr. Speaker:** Order.

**Mr. Pope:** You just let it go.

**Mr. Grossman:** You waited for the receiver to call.

**Mr. Speaker:** Order. The purpose of question period is to try to allow as many members as possible to ask questions.

**Mr. Morin-Strom:** If I were the member for Brantford, I would be embarrassed to ask a question on this particular issue.

**Miss Stephenson:** Go sit over there.

**Mr. Grossman:** At least we ask questions.

**Mr. Epp:** Why is the member blushing?

**Mr. Speaker:** Order. Without any preamble, do you have a supplementary?

**Mr. Morin-Strom:** Can the minister indicate if he will take action to see that the operating assets of White Farm continue as an operating entity and that the workers have their jobs protected?

**Hon. Mr. O'Neil:** I would certainly thank the member for his question. Again, I would reiterate that we are pleased to see the company is being kept in Canadian hands. We will do everything we possibly can to help those workers who are being displaced. I can assure the member of that.

**Mr. Gillies:** Mr. Speaker, on a point of privilege: I would ask you to consider whether my privileges have been infringed upon by the honourable member in as much as the rather idiotic preamble to his question I think ascribed an attitude to me that was quite uncalled for.

**Mr. Speaker:** Order. That is certainly a point of view.

3 p.m.

#### NURSING HOMES

**Mr. Speaker:** The Minister of Health has an answer to a question previously asked, I am not sure by whom.

**Hon. Mr. Elston:** There were actually two questions asked in my absence yesterday. One was asked by the member for Windsor-Riverside (Mr. D. S. Cooke) with respect to Essex Nursing Home. The Premier (Mr. Peterson) undertook that we would provide a speedy answer, and I would like to do that at this time.

**Mr. Martel:** Four minutes.

**Hon. Mr. Elston:** Does the member want me to give it or not?

As a result of the question, contact was made with Essex Nursing Home. There have been problems with respect to the implementation of those charges. My ministry has been in contact, and those charges will not be implemented. In addition, I have asked that the matter receive fuller investigation. Something further will be coming about with respect to that matter at a later date.

#### FIRST-CONTRACT DISPUTES

**Mr. Foulds:** I have a question for the Minister of Labour. What steps is the minister going to take to ensure that meaningful negotiations take place in the first-contract dispute between Kresge and the 16 workers, 15 of them women, of Local 409 of United Food and Commercial Workers International Union in Thunder Bay?

For example, is the minister aware that Kresge has not changed its offer since February, that the average wage is \$4.50 an hour, that a woman with 30 years' experience in the store receives a pension of \$46 a month and that the management rights clause gives Kresge sole discretion over firings, layoffs, promotions, transfers and working hours?

What will the minister do to ensure these people get a fair settlement of their dispute after being on strike for more than 11 weeks?

**Hon. Mr. Wrye:** I am not aware of the status of the negotiations in that dispute. I will endeavour to look into it and get back to the member tomorrow in question period on the status of the discussions.

I think the member knows the situation with Kresge in Thunder Bay gives some indication as to why this government is preparing first-contract arbitration legislation, which we hope to have as quickly as possible. I want to take a short period of time to review a number of options, and I am sure the member is aware of them. I hope to have the legislation as soon as the House resumes later this fall.

**Mr. Foulds:** Will the minister give a commitment today that if he is unable to bring in that first-contract legislation by the end of this week



and is not able to bring it in until the fall, and if first-contract disputes such as the one between the 16 workers and a multinational, Kresge, are not settled, the legislation he brings in will be retroactive and will take into account the current first-contract disputes? In the meantime, if one of the parties requests it, will he move to appoint a first-contract arbitrator in this dispute?

**Hon. Mr. Wrye:** I would like to discuss with my officials whether there would be any reasonable possibility of retroactivity in the legislation. I know the member will be aware that retroactivity more often than not is frowned upon.

I share the member's concern about the specifics of this dispute and the inability of those workers to obtain a first-contract settlement. I will take a look at the situation and report back to him tomorrow.

### AGRICULTURAL TRADE

**Mr. McKessock:** I have a question for the Minister of Agriculture and Food. Surpluses are part of our agricultural problems. When the minister is meeting with the federal minister, the Honourable John Wise, some time shortly, will he point out to him that when he increased the beef quotas coming from the European Community he only compounded our problem here in Canada?

**Hon. Mr. Riddell:** Briefly, I will be making that message loud and clear.

**Mr. McKessock:** When the minister is telling him that, will he also point out that even though the European Community threatens to impose countervailing tariffs on other imports from Canada, it is unfair for the red meat sector of this country to bear that burden?

**Hon. Mr. Riddell:** Once again we return to the problem we are plagued with. Mulroney and Reagan seem to be going along with free trade. The Americans feel the European Community has stolen too many of their export markets and they are endeavouring to get those markets back. There is no question we are caught in the middle.

I will definitely be talking to the Minister of Agriculture in Ottawa and telling him that free trade has to be given second thoughts and that we are the main losers if we go ahead with the ill-conceived free trade policy of the federal government and the American government.

Interjections.

**Mr. Speaker:** Order.

**Mr. Andrewes:** I want to remind the minister that it was under the previous federal administra-

tion that the rules were put in place under which the current negotiations have been carried out.

I want to set aside any partisan comments in my question to the minister and simply ask him what mechanism he is willing to provide for Ontario producers of all commodities to sit down and collectively discuss the problems of trade with all the branches of the federal government so we can get to the very root and heart of some of these problems before they become international issues.

**Hon. Mr. Riddell:** When we have this meeting in two weeks, we will be trying to set up meetings whereby the provincial ministers and the provincial farm organizations can get together with the federal minister and his staff and, it is hoped, iron out some of the real problems facing us. Our meeting in two weeks will be followed up very shortly, I hope, by meetings to try to come to some agreement on the very problems to which the member is alluding.

### SPILLS BILL

**Mr. Stevenson:** I have another question to the Minister of Agriculture and Food. Since the minister had no input into and no comments about the spills bill on behalf of the farming community, I wonder what the Minister of the Environment (Mr. Bradley) has told him about the impact of this bill on farmers. Maybe he is just telling the minister now.

**Hon. Mr. Riddell:** I was well aware of the impact when we discussed the spills bill in committee some years ago. The minister said in his statement that an advisory panel would be established to listen to those people who feel they could well be aggrieved by the absolute liability section of the bill. I encourage the member to inform all those farmers and farm organizations to make a presentation to that advisory panel. When the regulations are established, the member must realize there are certain ways to cope with the problem.

Interjections.

**Mr. Speaker:** Order. I do not think the members want to hear the answer.

**Mr. Stevenson:** I wonder whether the minister has been in contact with any of the smaller rural insurance companies to see if they are ready to cover absolute liability on spills for the farmers. Those are the insurance companies that normally write agricultural coverage.

**Hon. Mr. Riddell:** Yes, my colleagues and I are consulting widely on the subject. I do not

believe there will not be some kind of insurance coverage if, indeed, the regulations—

**Hon. Mr. Bradley:** Are the members opposed to the bill? That is the question.

Interjections.

**Hon. Mr. Bradley:** They are opposed to the bill.

**Mr. Speaker:** Order.

3:10 p.m.

#### INTERVENER FUNDING

**Mrs. Grier:** I have a question for the Minister of the Environment concerning the issue of—

Interjections.

**Mr. Speaker:** Order.

**Mr. Warner:** They are unruly. Throw them out.

**Mr. Speaker:** I do not need anybody's advice, thanks. Please control yourselves. The question period will soon be over. There are only six minutes left. I am sure there are lots of other members who want to ask questions.

**Mrs. Grier:** I have a question for the Minister of the Environment. On June 28, the Supreme Court of Ontario ruled on the question of advance funding for interveners. Despite what I am sure were the very persuasive arguments made in that case by one representative of the interveners, now the Attorney General (Mr. Scott), the court ruled that the funding was not legal and said in its decision: "It is for the Legislature, in clear language, to so empower a board or tribunal should it be found desirable as a matter of public policy."

What is the position of the minister's government with respect to that direction of the court? Assuming he is in favour of following that direction, when might we expect to see some legislation?

**Hon. Mr. Bradley:** The member is correct in assuming this government is interested in providing intervenor funding. In a wide number of cases, particularly as they affect the environment, ministry staff and members of the cabinet are currently looking at a number of options that could be put in place for intervenor funding.

We recognize it is very difficult for people who have to make representations, particularly when there is an environmental assessment, to make representations in the best technical sense and with the greatest deal of expertise. For that reason, we are reviewing this at present, and the member can be assured this government is

interested in providing that kind of funding through the right mechanism.

**Mrs. Grier:** While I welcome the statement by the minister earlier today with respect to the Ontario Waste Management Corp., I point out to him that the OWMC had guaranteed intervenor funding in advance. In view of the minister's action in subjecting decisions of that corporation to the Environmental Assessment Act, can he give us some assurance that action will be taken to make sure the possibility of advance intervenor funding is still available to participants in that matter?

**Hon. Mr. Bradley:** We want to see that funding provided. As I understand it, the mechanism is that a third party, one that is not part of the government or of the OWMC, will actually administer that funding. That is the path we will be following, with a third party providing it. The member can be assured funding will be provided in this case. On that aspect of it I am persuaded we can follow the previous direction.

**Mr. Brandt:** As the minister is aware, the supplementary intervenor funding provided through the OWMC and for the special hearings on polychlorinated biphenyls and the new technology involved there was a commitment made by the previous government with respect to the whole concept or philosophy of intervenor funding.

Is the minister prepared today to give an undertaking, not only that he will commit himself to intervenor funding to those two undertakings, namely, the OWMC and the special hearings with respect to PCBs, but also that he will follow through on the intention of the previous government, which was to expand on the entire concept of intervenor funding—

**Mr. Speaker:** That is a very good question.

**Mr. Brandt:** —to provide this kind of money for additional groups in our society that want to make interventions before his ministry?

**Hon. Mr. Bradley:** I know the member for Sarnia was a genuine proponent of intervenor funding. I very much regret he was unable to make more progress than he did make with his colleagues in the government in getting that through the cabinet.

I was pleased to see intervenor funding in the two cases that have been mentioned. The former minister may be assured that I, as Minister of the Environment, will be promoting that kind of intervenor funding on a much wider basis than was the case in the past.



I sympathize with the fact that the member for Sarnia did not have the kind of support I think he deserved and should have had in that government in promoting that concept.

#### DASH-8 AIRCRAFT

**Mr. Bernier:** I have a question for the Minister of Northern Affairs and Mines. First, I want to congratulate him on his appointment and to wish him well as the only government member from northern Ontario taking on very onerous responsibilities. I want to remind the government that there is a saying in northern Ontario—

**Mr. Speaker:** Would you ask your question, please. Time has nearly expired.

**Mr. Bernier:** I would like to ask the minister if, in view of his off-the-cuff comment that he might not accept the second Dash-8 aircraft from de Havilland Aircraft of Canada Ltd., that the setting up of this hearing committee will guarantee to the people of northern Ontario and particularly those in northwestern Ontario, that he will change his mind and accept that aircraft, which is built in this province?

**Hon. Mr. Fontaine:** I do not know whether I said that, but one thing I said was that if nobody is going to take the Dash-8 route, I will take it off. If we are going to spend money on a Dash-8 to fly in the northwest, we need passengers on the Dash-8. That is what I meant.

#### NOTICE OF DISSATISFACTION

**Mr. Warner:** On a point of order, Mr. Speaker: I wish to file notice of my dissatisfaction with the answer to a question I raised earlier with the Minister of Consumer and Commercial Relations (Mr. Kwinter).

**Mr. Speaker:** I am sure the member will do that in the proper manner. He is very much aware of that.

**Hon. Mr. Elston:** On a point of order, Mr. Speaker: I wonder if I might have the consent of the House to revert to statements so I can provide an answer to a question that was asked by a colleague yesterday for which I was unable to provide an answer earlier. It is very brief indeed, but I did not want to interrupt the question period.

**Mr. Speaker:** Do I have the agreement of the members of the House?

Agreed to.

#### STATEMENTS BY THE MINISTRY

##### AIR AMBULANCE SERVICE

**Hon. Mr. Elston:** In short, a question was asked by the member for Algoma (Mr. Wildman)

with respect to some difficulties about moving a patient between two hospitals in northern Ontario. I can advise the House now, unfortunately in the member's absence, that my ministry is inquiring into how the circumstances occurred. There appears to have been some confusion between the two hospitals as to who was responsible. I understand it was the responsibility of the hospital that received the patient.

The ministry is also issuing more detailed new guidelines with respect to moving patients between hospitals, and we hope the confusion can be removed in the future. I suspect that should help to deal with the problem raised by the member for Algoma.

#### PETITION

##### TEACHERS' PENSIONS

**Mr. Offer:** I have a petition signed by 11 members of the Ontario Teachers' Federation with respect to Bill 148.

#### MOTION

##### COMMITTEE SUBSTITUTION

Hon. Mr. Nixon moved that Mr. Guindon be substituted for Mr. Pope on the standing committee on social development.

**Hon. Mr. Nixon:** The motion is in response to this morning's Globe and Mail.

**Mr. Grossman:** I might point out that the decision regarding this change was necessitated by personal arrangements of the member for Cochrane South (Mr. Pope) and had nothing whatever to do with the comments in this morning's Globe and Mail.

Motion agreed to.

3:20 p.m.

#### INTRODUCTION OF BILLS

##### LOI SUR L'EXECUTION FORCEEE D'ORDONNANCES ALIMENTAIRES ET DE GARDE D'ENFANTS

Hon. Mr. Scott moved, seconded by Hon. Mr. Conway, first reading of the French version of Bill 14, Loi concernant l'exécution forcée d'ordonnances alimentaires et de garde d'enfants.

Motion agreed to.

##### LOI SUR LE DROIT DE LA FAMILLE

Hon. Mr. Scott moved, seconded by Hon. Mr. Conway, first reading of the French version of Bill 1, Loi révisant la loi portant réforme du droit de la famille, and that Bill 1 be reprinted in bilingual form.

Motion agreed to.

#### PETERBOROUGH CIVIC HOSPITAL ACT

Mr. Turner moved, seconded by Mr. Wiseman, first reading of Bill Pr20, An Act respecting the Peterborough Civic Hospital.

Motion agreed to.

#### CITY OF HAMILTON ACT

Mr. Charlton moved, seconded by Mr. MacKenzie, first reading of Bill Pr4, An Act respecting the City of Hamilton.

Motion agreed to.

#### CITY OF HAMILTON ACT

Mr. Charlton moved, seconded by Mr. MacKenzie, first reading of Bill Pr34, An Act respecting the City of Hamilton.

Motion agreed to.

#### CANADIAN NATIONAL EXHIBITION ASSOCIATION ACT

Mr. Shymko moved, seconded by Mr. Runciman, first reading of Bill Pr16, An Act respecting the Canadian National Exhibition Association.

Motion agreed to.

#### HISTORIC VEHICLE SOCIETY OF ONTARIO ACT

Mr. Mancini moved, seconded by Mr. G. I. Miller, first reading of Bill Pr2, An Act respecting the Historic Vehicle Society of Ontario.

Motion agreed to.

### ORDERS OF THE DAY:

#### COMMITTEES

Hon. Mr. Nixon moved resolution 6.

Reading dispensed with [see Votes and Proceedings].

**Hon. Mr. Nixon:** Mr. Speaker, you will notice that both myself and the clerks are being very careful not to attempt to read the motion, which is an extremely lengthy one. It actually establishes the committee system for this session of the Legislature and we have attempted, with the much-appreciated co-operation of the clerks at the table, the House leaders and the leaders of all three parties, to prepare a motion that would establish the committee system at least until the end of the year.

The committees to be established are the regular ones, plus an additional number of select committees for purposes that are referred to in the motion or which will receive terms of reference when the House returns in the fall.

I want to say a word or two about the motion itself, particularly with reference to the procedural affairs and agencies, boards and commissions motion, which has within its instructions to report to the House its observations and opinions on the operation of the standing orders of the House and additional matters the House would refer to it from time to time.

When that committee is in session, I think we should be aware that its primary responsibility is to consider the operation of the standing orders. In my opinion, that is in order to be considered at any time. In a further motion, we are also asking that committee to undertake a consideration of methods of appointments to such bodies as are in the committee's terms of reference, that is, agencies, boards and commissions. That is a special reference, but in my opinion the committee should in no way consider itself restricted or impeded from a general review of the standing orders.

In this motion, the standing committee on regulations and private bills has received a stronger reference to review private bills as they are sent to it after first reading of the House. In years gone by there was always a separate private bills committee, which was like a small legislature in itself. Often some real arguments occurred there, particularly nonpartisan ones, as various municipalities and other corporate bodies referred their needs for private legislation.

It used to be considered one of the most important and interesting committees here. I am glad to see we are centralizing the reference to private bills, at least to some extent, in part 3 of the motion.

**3:30 p.m.**

Part 7 refers to the standing committee on the Ombudsman. In essence this is a departure, since that committee in the past has been a select committee. Since it is appointed for each session of the Legislature and has continuing responsibilities, it was agreed among the three parties that we could change its status to that of a standing committee. This is in conformance with the recommendation of the committee itself in its most recent report.

In part 8 there is a matter which I hope can be corrected without offering an amendment. It is quite a serious error in one sense. In the third line, on the establishment of the select committee on economic affairs, it reads that its duties are to examine and report to the government. Of course, the House is establishing the committee and it can report only to the House. If you will permit me, Mr. Speaker, I would consider that



not a misprint but a misstatement somewhere along the line. There was never any intention on the part of any of the three parties that participated in the establishing of these terms of reference that the report be to the government.

I should say something else about the terms of reference for this select committee, which are rather lengthy. The government must accept responsibility for the main body of that verbiage, but we also appreciate the participation of the member for St. Andrew-St. Patrick (Mr. Grossman) and the member for Sault Ste. Marie (Mr. Morin-Strom) who vetted the terms of reference and made substantial additions.

I will not comment on my own views about the length of the terms other than to say that normally the select committees operate quite well with more general terms. In this instance, if they fulfil all these various instructions, they may be in session from now until well into the next decade.

My hope is the House will have the benefit of their recommendations on the free trade matter, as set out in the terms of reference, in a relatively short time. This issue is going to become increasingly important as some of the other provinces and the government of Canada move in such a way that its importance has a greater effect on the economy of the province and our ability to move towards higher levels of employment.

I do not think there is anything else I want to say about the motion, other than to say that it lays out a substantial body of committee work during the summer session. There may be additional changes which we might be able to make in a rather informal way or by amendment, if that is your judgement, Mr. Speaker. I can assure you this is entered into with as much negotiation and agreement among the three parties as is possible. In most instances the requirements of the spokespersons for each party have been fully implemented.

**Mr. Martel:** I have a small matter. With respect to item 7, the resolution concerning the standing committee on procedural affairs, having to do with the standing orders. Could we mention the magic letters "TV" with respect to that committee so it can start its work? All of us indicated that should proceed, and it is not in there. It might make it easier for the committee chairman—

**Hon. Mr. Nixon:** That is under 7. It does not include TV, but that is where we might introduce the two letters.

**Mr. Martel:** Yes, the magic letters.

I was asked by my leader to raise with the minister the matter of the select committee on

energy. I would ask the government House leader if he could clear that up, not today necessarily, but before we leave on Friday.

**Mr. Breagh:** I know the government House Leader nodded wisely, but I do not think Hansard picks it up when he nods wisely about televising the proceedings of the Legislature.

**Hon. Mr. Nixon:** On a point of order, if I may, Mr. Speaker: I meant to indicate that we are dealing with government notice of motion 6 right now. Government notice of motion 7, which we will proceed with in a moment, actually gives the assignments for this summer. The standing committee on procedural affairs and agencies, boards and commissions is referred to there. If we want to add a phrase such as "and TV," we should do it under the next motion.

Motion agreed to.

#### COMMITTEE SITTINGS

Hon. Mr. Nixon moved resolution 7.

Reading dispensed with [see Votes and Proceedings].

**Hon. Mr. Nixon:** This motion establishes the responsibilities for the committees between now and the return of the House, which as yet has not been established but it will probably be in October.

This is an instance where both of the matters raised by the members from the New Democratic Party might be referred to.

"Standing committee on procedural affairs and agencies, boards and commissions, to consider methods of appointments to such bodies as in the committee's terms of reference."

I hope I have made it clear in my previous remarks that I consider this committee has, whenever it meets, the responsibility to deal with the operation of the standing orders, but that could be included, since I think you will recall, Mr. Speaker, that this committee has worked tirelessly over the last two years reviewing possible changes to our standing orders. They have given the House at least three full reports, which were concurred in, perhaps not in every respect, by almost every member of the House.

I think its implementation was held up by the fixation in the minds of the previous government's members that they were not prepared to accept any changes in the rules unless the problem of the bell-ringing syndrome was alleviated or solved. By that I mean the custom in certain other Houses to ring the bells an unconscionably long time as a parliamentary practice.

**Miss Stephenson:** There are rules in this House.

**Hon. Mr. Nixon:** I know that. Fortunately, the principal spokesman for the official opposition now is assuring me that she and her colleagues would never do such a thing.

**Miss Stephenson:** Infantile.

**Hon. Mr. Nixon:** Even though she says it is infantile, and I agree with her, it was started by the Conservatives in the House of Commons when they rang the blooming bells for 16 days without a stop.

I believe we may reach an accommodation on the bells. Even if we do not, we would hope, with the conduct of our affairs by the new administration, such a final solution as using ringing of the bells as a parliamentary weapon would never be required. I would hope we would be able to accept the recommendations under the rules without any problem.

I would, however, like the newly-established procedural affairs committee, if it so decides, to review the recommendations that have come in the three reports to see that they are up to date. This would not, in my view, entail a lengthy period of discussion. The committee could simply go over the reports and put them together in one report, which I think we could deal with in short order when we return in the fall.

**3:40 p.m.**

It was also suggested the committee refer to TV. I am told, and I should have known myself, this matter is going to be on the agenda of the Board of Internal Economy meeting on Monday. If the committee wants to deal with that, I see nothing wrong with it, but it seems to me the commitment to move expeditiously and economically to bring an electronic Hansard-type of television system in here has already been made. The agreement has been reached.

It seems to me that if the Board of Internal Economy at an early meeting a few days from now gave the instruction to the staff to go ahead, they could then provide the procedural affairs committee with the results of their findings so there would be no problem. The members of the House, through that committee or even through the members' services committee if that was considered appropriate, would be fully informed as to our intentions.

I can assure the House the board will not go ahead with this program without the concurrence of members that the money we are spending is appropriate and that the process and facilities we

would purchase and install would fit the needs as seen by members of all parties.

The other matter raised by the House leader for the third party had to do with the select committee on energy, which is often referred to as the select committee on energy (Hydro). It is certainly expected to operate in a somewhat similar manner to the way in which the former Hydro committee operated, especially during the minority government days. I think it was named energy rather than Hydro because matters pertaining to natural gas and perhaps other forms of energy should be in the terms of reference.

The terms of reference have not been agreed upon at this point. There is a feeling among some beleaguered House leaders that if an additional committee were to meet between now and October it would produce a load on our hard-working members that would be almost unbearable. However, we have a very efficient and effective whip and I think if the committee had to meet, there is no doubt all parties would be properly fully and effectively represented. I would like it to stay as it is. It may be that some further negotiation would result in an additional motion later in the week that might be more satisfactory for all concerned.

**Mr. Speaker:** I know the House leader was referring to the previous motion. We are on resolution 7 and I am sure those things can be worked out. However, in case you wanted to amend this, would you want to have further discussions amongst the House leaders? No? Just continue.

**Mr. Breagh:** Very briefly, I am in support of the government motion. I do want it clear and on the record, in regard to the standing committee on procedural affairs, that the matter of an electronic Hansard—at least certain aspects of it—is properly before that committee during the summer session. I want it clear that the matter of certain rule changes to the standing orders are properly on the agenda, and that certain references which have been made to the structure, form and function of the committee system around here are also on the agenda. In my view, all of that is normally part of that committee's work. In addition, the matter of considering methods of appointments to agencies is before the committee.

There is another point I would like to get on the record today so it is clear. As has been noted, we have done several reports on rules, committees, changes to the standing orders and electronic Hansard. I do not think we need motions to put those reports before the committee, but it would



be helpful to us, if no objection is raised, if we were able to consider committee reports that have already been tabled in the Legislature. There are a number of them. I do not want to go back through that committee and reinvent the wheel. We have already studied a number of those matters. Essentially, in my view, it would be a matter of going through committee reports and resolutions that have been already tabled in the Legislature and perhaps doing some sorting or adjusting. That would certainly expedite the work of the committee during the summer.

With those provisos, as long as it is understood the matter of an electronic Hansard is properly before the committee and the matter of a review of the standing orders and the committee system is also on that committee's agenda, we are quite happy to do that.

I should point out to other members who may be interested in this committee's work that a review of certain agencies has already been scheduled for this summer period. In other words, the regular review of agencies has been allotted, invitations have been sent and staff reports have been done, so that work is on the committee's agenda as well. As long as people understand that, I think we could take the motion as it is now written, since most of those other matters are normal business before the committee. As long as that understanding is clear, I am quite content with the motion as is.

**Mr. Grossman:** I would like to respond for a moment to the comments of the government House leader in reflecting upon the standing committee on procedural affairs and its deliberations on the subject matter of bell ringing and other devices made famous in this House by the Ontario Liberal Party. The Conservative Party is as committed to legislative reform as anyone else in this House. Our members on that committee are determined to see that happen at as early a date as possible.

However, I would provide this caution to the government House leader in case his expectations go beyond realism. We have taken his leader's opening statement in this House at face value. When he says there shall be no walls or barriers, we believe that rule applies to the opposition's right to express its point of view in a variety of ways from time to time when the need arises.

Therefore, while perhaps more order and sense can be brought to the procedures, he should not propose or perhaps expect that some of the particular mechanisms that are essential to the reduction and elimination of barriers and the

protection of parliamentary democracy, protected in this House by the single party that is really providing opposition, are about to disappear.

**Mr. Martel:** I am provoked to respond. If anyone has watched the rules of parliamentary procedure bastardized, the people doing it have been the Conservatives in Manitoba who would not come in for a vote. In Ottawa, I believe they tied up the House for 19 days and would not come in. They just sat there and allowed the bells to ring.

If one makes violating the rules an art, the Conservatives have specialized in it. The Conservatives, maybe not the member but his party, both in Manitoba and in the federal House, have made a mockery of the right to rule and no one here has ever attempted that. My friends across the way occasionally have used the bells.

As we tried to get that rule sorted out, it is interesting that the famous Rotenberg rule came to the fore. If that rule had been applied, I suppose one could have tied up things by the rule the government favoured indefinitely, month in and month out. Over the years, some of us on this side of the House have learned something about the rules. The old government, in its new found role, will have an opportunity to use those rules in the near future.

On occasion we have used the rules. I guess it was with Bill 179 that we used the rules for about 80 days when we got to the introductory clause of the wage and price control bill. When one has rules, they apply both ways. When government wants to come down heavy, the opposition can use the rules in existence to tie the place up. It is one of the things that one hopes will make a government comes to its senses. I hope with this government we will never have to use that sort of rule.

**Mr. Villeneuve:** You have an agreement.

**Mr. Martel:** We have an agreement. We probably got more out of that agreement just in trappings, let us say, in two weeks than we got out of the Tories in 10 years.

**Mr. Speaker:** Will the honourable member direct his remarks to the chair?

Interjections.

3:50 p.m.

**Mr. Martel:** If the members want to talk about things like that, I have 18 years of experience of doing it around here. We have the rules. My friend knows that we could have had a lot of rules changed in the past two years if we had been willing to give up the one principle to which we all adhere, which is one cannot be constrained.

There was a rule that allowed the government to do whatever it wanted, and that was closure.

I tell the former Minister of Education, the Tories rewrote the rules just by numbers games and votes in the House. They brought in a time allocation motion that is nowhere in our rules and they violated the rules with impunity. They laughed about it because they had the numbers to do it. I hope he gets up and challenges me. The former minister is about to jump up. That rule was rewritten in this Legislature without any discussion. I hope there is a Tory who will get up and challenge me. They simply took 72 votes and said: "So what? If there is no rule, we will write one because we can vote it in." That is how much they thought of the parliamentary process.

**Mr. Wiseman:** The member breaks rules.

**Mr. Martel:** They knew how to break the rules. They knew how to write rules simply by the numbers game. So when we get a little lecture from the new House leader—

**Mr. Wiseman:** When did the member start following the rules?

**Mr. Martel:** I have forgotten more about the rules than he will ever know.

**Mr. Speaker:** Order.

**Mr. Wiseman:** The member always breaks them. He is the greatest rule-breaker here.

**Mr. Martel:** No. I—

**Mr. Speaker:** Order. Would the honourable member disregard the interjections.

**Mr. Martel:** Well, he is bothering me.

Interjections.

**Mr. Speaker:** Interjections bother all of us.

**Mr. Martel:** In any event, we have some rule changes that would have come about, I guess two years ago, if it had not been for time. They are important rules. I think they deal with things such as sensible hours of sitting.

I learned only last week from my friend the Treasurer (Mr. Nixon) that the reason they did not want to eliminate night sittings, if members would like to know, was they were afraid we out-of-town boys might get in trouble—morals. For all this time, it is 1985, we have continued night sittings because some of the out-of-town members just might get in trouble. What a lot of malarkey. The rules need to be changed to bring them into the 1980s, and I will sit—

**Hon. Mr. Nixon:** You are too old to get into trouble.

**Mr. Martel:** You are right. I cannot even do that any more.

**Miss Stephenson:** The member has gotten into more trouble than anyone else since I have been sitting here.

**Mr. Martel:** Well, I—

**Mr. Speaker:** Order.

**Mr. Martel:**—play with the rules; I know how to manipulate them and stay within them though, I do not have to break them. We are going to change the rules, the committee has it and I hope by the time we come back this fall we will be more enlightened than we are when we leave with respect to the rules and the way this place will operate.

**Mr. Speaker:** Mr. House leader, do you have any further comments?

**Mr. Grossman:** May I speak?

**Mr. Speaker:** I believe the honourable member spoke once on the resolution.

**Mr. Grossman:** Oh, it is the same motion.

Motion agreed to.

**Hon. Mr. Nixon:** I wonder if I might ask the House to revert to motions so we can now put forward the names of the fortunate honourable members who will be serving on these committees.

**Mr. Speaker:** Do members of the House agree?

Agreed to.

## MOTIONS

### COMMITTEE MEMBERSHIP

Hon. Mr. Nixon moved that membership on the standing and select committees appointed today be as follows:

Select committee on economic affairs: Mr. D. R. Cooke, Chairman; Messrs. Bennett, Cordiano, Ferraro, Knight, Mackenzie, McFadden, McGuigan, Morin-Strom, Miss Stephenson, and Mr. Taylor.

Select committee on health: Mr. Callahan, Chairman; Messrs. Elgie, Henderson, Mancini, Partington, Pierce, Pope, Reycraft and Ward.

Select committee on energy: Mr. Andrewes, Chairman; Messrs. Ashe, Charlton, Cureatz, Gordon, Mrs. Grier, Messrs. Haggerty, McGuigan, McLean, Sargent and Ward.

Select committee on the environment: Mr. Knight, Chairman; Mr. Brandt, Ms. Fish, Messrs. Gillies, Haggerty, Poirier, Sargent, Shymko and South.

Standing committee on procedural affairs and agencies, boards and commissions: Messrs. Bossy, Breaugh, Mancini, Mrs. Marland,



Messrs. McCaffrey, McClellan, Morin, Newman, Sterling, Treleaven and Warner.

Standing committee on regulations and private bills: Mr. Bossy, Ms. Bryden, Messrs. Callahan, Cousens, Grande, McKessock, G. I. Miller, Offer, Pollock, Turner and Yakabuski.

Standing committee on the Ombudsman: Messrs. Baetz, Bossy, Hayes, Henderson, McNeil, Morin, Newman, Philip, Pierce, Sheppard, and Shymko.

Standing committee on general government: Messrs. Dean, Epp, Hennessy, McCague, McKessock, Poirier, Pouliot, Swart, Villeneuve, Ward and Wiseman;

Standing committee on resources development: Messrs. Barlow, Bernier, Elgie, Ferraro, Laughren, Martel, G. I. Miller, Ramsay, Sargent, South and K. R. Stevenson;

Standing committee on public accounts: Messrs. Cordiano, Epp, Eves, Gillies, Harris, Leluk, Philip, Polsinelli, Runciman, D. W. Smith and Wildman;

Standing committee on administration of justice: Messrs. Brandt, Callahan, D. R. Cooke, Ms. Fish, Ms. Gigantes, Messrs. Gregory, Knight, O'Connor, Partington, Polsinelli and Reville.

And, that the membership of the select committee on health and on the environment from the New Democratic Party will be named in a motion at a later date.

Motion agreed to.

#### COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on public accounts be authorized to meet in the morning of Thursday, July 11, 1985.

Motion agreed to.

Hon. Mr. Nixon moved that the standing committee on administration of justice be authorized to meet in the afternoon of Thursday, July 11, 1985.

Motion agreed to.

Hon. Mr. Nixon moved that the standing committee on regulations and private bills be authorized to meet in the afternoon of Thursday, July 11, 1985.

Motion agreed to.

Hon. Mr. Nixon moved that the standing committee on procedural affairs and agencies, boards and commissions be authorized to meet in the morning of Thursday, July 11, 1985.

Motion agreed to.

Hon. Mr. Nixon moved that the standing committee on resources development be author-

ized to meet in the evening of Thursday, July 11, 1985.

Motion agreed to.

#### EDUCATION AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 30, An Act to amend the Education Act.

**Hon. Mr. Nixon:** By coincidence, I adjourned the debate last night at 10:30 p.m. I have a few more brief remarks.

I was referring to the historic importance of the bill. I was also recalling some of its antecedents, going back in my memory to 1936 when the then Liberal government, under Premier Mitchell Frederick Hepburn, had brought in a program by legislation to enable separate school boards to share in industrial and commercial assessment. Unfortunately, it was withdrawn because of the political pressures of the day.

In many respects, the idea of sharing the assessment is not seen as such a good one even now because of the complexities of such legislation and the requirements of our constitution.

I do recall, soon after being elected to this House in 1962, that the then Premier John Robarts brought in a program for making a good deal more public support available to the separate school system and was substantially supported by all three political parties, including his own.

The program was called the foundation tax plan. Essentially, it attempted to replace with additional grants the money the separate school system did not have available to it since the broad assessment of the communities—that is, the part associated with industrial and commercial assessment—was not available.

#### 4 p.m.

The grants to the separate schools, when compared to the grants for the public system, were very large indeed. There were those people who did not understand the extra money was voted by the Legislature to make up for the fact that the separate schools did not have access to the Roman Catholic share of local assessment.

The program worked quite well and was phased over a period of years so that the amount of grants to make up the difference in the dollars available for separate education compared to public education was gradually narrowed.

I remember Father Carl Matthews, who had been a sort of watchdog on this matter since I came here, or for the past 20 years anyway, used to issue a yearly report comparing the dollars

available per student in the public system and in the separate system. We were quite proud of the fact that at one stage the dollars got quite close. That did not occur in grades 9 and 10, which were funded by order in council, but only at the elementary school level.

For students in the two grades normally considered to be in the secondary panel, the difference was maintained and did not drop because of foundation funding. I am very glad that under the provisions of Bill 30, the difference will be eliminated and that grades 9 and 10, as well as the other grades at the secondary level, will be funded on a fair and equitable basis with the other public system.

I do not want to spend much time referring to the events of 1971, since I described my impressions of them to the House on the final day of the outgoing Conservative regime. However, I do want to say that one of the reasons it is regrettable that separate school funding on an equitable basis did not go forward in 1971 is that the financial aspects, as well as the educational aspects, were quite different then.

We had a burgeoning student body and the school system, not only the Roman Catholic separate system but also the public system, was growing at a great rate. The problem was to find enough money to build new buildings to accommodate the large numbers of students coming into the system at that time.

It would have been much less dislocating for the community if we had not had to close schools because of declining enrolment and to reallocate schools built by public systems for separate school use, as we do now.

It is also true to say that although our budget is enormously larger now, there seems to be considerably less flexibility in the allocation of dollars. The revenues were much more buoyant in 1971. It was the last year, up until now, when there was a surplus in the consolidated revenue fund of the province, the last year when John Robarts was Premier, or Prime Minister as he called it. The surplus was \$100 million.

I suppose the proof of what I am saying is that economic buoyancy and financial resiliency in the province could have absorbed the additional funding much more readily than it does now.

Most people feel the funding allocations announced by my colleague the Minister of Education (Mr. Conway), and supported by the Treasurer of course, are substantial; but they are commitments that we on all sides are ready to make to achieve the equity in the system which

we all desire and which forms the principle of the bill.

In completing my remarks, I have substantial regret that this action could not have been taken in 1971. A number of great leaders in the education and general communities at that time were leading the discussion. We hoped to bring all-party agreement to fruition.

In my opinion, Archbishop Pocock, recently deceased, was probably the leading light in that regard. I do not recall a gentleman of any religious faith or any public responsibility who was more knowledgeable and, more than that, who had a more gentle and sensitive approach to dealing with politicians on an important and sensitive subject.

We should also recognize the role played at that time by the now Archbishop Garnsworthy, who was part of a panel involving a number of non-Catholic churches and, I believe, the Jewish religion. That panel met and considered the implications of the extension of funding to the separate school system.

I was very glad to receive the panel's recommendations at the time because they bolstered the Liberal position, a position similar to the one taken by the New Democratic Party, that whatever our faith or creed, as knowledgeable citizens of this province and of Canada, we knew—we did not accept, we knew—that the rights of the Roman Catholic community were established in the Constitution and by the traditions of our nation and that they were not there to be taken away, they were there to be fulfilled properly.

I thought the positions taken by those leading clerics from a number of churches, including my own, the United Church of Canada, were extremely useful in moderating the otherwise somewhat immoderate reactions in the community.

That is not to say the United Church Observer, an important publication that rests in a specific room in our home, where it is readily available for reading on short notice, did not go head over heels in support of the then Premier William Davis, who discovered at the last minute that he was unalterably opposed to the extension of funding.

I remember the then Premier's four-coloured visage on the front cover of the Observer, even though the church had participated in this interfaith committee recommending moderation and acceptance across the board.

Even in the great United Church consistency, as it is sometimes in some political parties, it is



not seen as something that should be a bugbear keeping one from taking the actions one wants to take. That is a little convoluted. I must read it in Hansard to see what I said.

**Mr. Sterling:** Does the member always believe the Observer?

**Hon. Mr. Nixon:** Yes. I see the important spokesmen for my church have entered the debate now, although we have not heard from them recently. It is to be expected that they, along with their colleagues from the other religions who have a specific opinion in this important matter, may very well appear before the committee. It will be an interesting experience to hear what they have to say.

I may attend with those envelopes one gets to contribute to the church week by week and decide what I am going to do with them based on the official opinions stated by the church.

This is a matter of more importance than I am giving it at the moment. I think my mood last night was a little better and I stressed my feeling that this is a historic occasion and that I was proud to be associated not only with my colleagues the Minister of Education and the Attorney General (Mr. Scott) but also with members on all sides who I believe are living up to the commitment we made in the last election to support this. We feel on all sides it is right and correct.

Naturally, we are waiting with a great deal of interest for a speech from the member for Carleton-Grenville (Mr. Sterling), who has publicly separated his views on this matter from those of his party. I am sure his views are important in many respects.

I do sense, however, that some of the electricity has gone out of the issue with the presentation of a program that is going to satisfy the requirements that it be presented to the courts and that there will be no attempt whatsoever to interfere with a committee that is going to be readily accessible to the people of the province.

A commitment has been made by all members of this House, with the exception of one, as far as I know, that it should be proceeded with in an orderly way to achieve finally in this province, after more than a century, the kind of equity and justice in education that we all believe is long overdue and that we support with enthusiasm.

4:10 p.m.

**Mr. Sterling:** First of all, I would like to congratulate the Minister of Education on assuming his portfolio. I can think of no better Liberal to take over this very important task, and I cannot think of a better man to handle this delicate issue.

I make a commitment to the minister that I will try to live by the words of Sir Wilfrid Laurier, which he quoted in his statement to introduce the bill. They are marvellous words; there is a marvellous challenge to them. The minister must appreciate that in my position, my task will be much more difficult than his in discharging and presenting myself to fall within those words.

There are two premises which I believe have to enter into this debate and into our decision as to what we do with Bill 30. I stated my philosophical position on June 10 in dealing with the education of our children in Ontario.

I said I believed in a society that would be tolerant and understanding of other members in that society and that the best time to teach that tolerance and understanding is during our childhood, in our formative years. I know of no better place to do that than within our school system.

I am not alone in my opinion. I do not believe in secular or parochial schools and the spread of that kind of educational institution in Ontario. I do not believe that is good for our children or our society.

I want to read a letter I received after I made my stance known:

"Yours is the first and only enlightened voice I have heard on the parochial school issue from the whole present provincial government. Thank you for your courage and honesty. Although I am a Roman Catholic, I believe a unified public school system is the only solution. We are moving to a more unified understanding of our oneness with all people and we should not be encouraging anything that will divide us."

Those words were written by a woman who does not live in my riding but who holds a very responsible position in her community. That is one premise I come from. Therefore, I cannot support anything that would extend what I think is not a good thing for our children.

The second premise is a matter that is largely misunderstood. I respect our legal, constitutional obligation of 1867 with respect to the separate school system. I have not yet received a straightforward answer from the former Minister of Education or from this Minister of Education, or from the Attorney General, on whether the provincial government has any legal obligation to fund the separate school system.

Taking my belief that we do not have a constitutional, legal obligation to fund schools to the end of high school, together with my basic problem with the philosophy of dividing children, I cannot support a piece of legislation that extends what I believe is no longer an obligation

to the separate schools. I think we fulfilled that obligation. I will go on about that later.

It is important to outline the position I took before the voters of Carleton-Grenville during the recent election campaign. I stated my position during that campaign at the all-candidates television debate, at each all-candidates meeting and at each door where I was asked the question. I said I would not support the bill if it discriminated against any student or teacher on the basis of religion. Unfortunately, this bill does discriminate.

It is interesting to note that the New Democratic Party candidate in my riding stated outright opposition to this bill. He was supported in a financial way by the Ontario Secondary School Teachers' Federation. If one wanted to place us in position, the New Democratic Party in my riding was more against this issue than I was.

Whether or not my objections about access for students and teachers goes to the heart of the bill is really the question of whether or not I can vote on it on second reading. I believe it does go to the heart of the bill; it goes to my major objection of dividing the children. Therefore, if I am offered the opportunity, I will stand tomorrow and vote against this piece of legislation.

I want to review the past process, and I will go into that shortly. I have some very general concerns about the expenditure of funds this will incur when put into place, although this is a minor matter and should not be considered a major one.

I want to quote as follows:

"Argument is frequently made as to the financial implications inherent in an extension of public support for private schools. There can be no doubt about the substantial costs and, implicit in such an assessment, there must be the realization that the standards and quality of education would inevitably suffer with their subsequent social implications as the resources of our taxpayers came to be increasingly strained."

To quote further from the same document:

"If the government of Ontario were arbitrarily to decide to establish and maintain out of public funds a complete educational system determined by denominational and religious considerations, such a decision would fragment the present system beyond recognition and repair, and do so to the disadvantage of all those who have come to want for their children a public system free of denominational or sectarian character.

"To embark upon such a policy could not be, in reason or justice, limited to some faiths and

denied to others. Nor could it in logic be limited to elementary and academic secondary systems alone. We would inevitably be obliged to proceed throughout all our educational institutions to fragment and divide both our young people and our resources from kindergarten through post-graduate university studies."

I quoted from the statement of the Honourable William Davis on August 31, 1971.

**4:20 p.m.**

I believe some truth remains in those statements. We could go over what has happened with regard to bringing this bill into place. On June 12, 1984, as the press is well aware, a cabinet meeting was called at approximately 11 o'clock and there was a subsequent caucus meeting. I do not think it would be telling any secrets to say many of us were surprised at the subject matter of those particular meetings.

At that time, when we were presented with the problem, we thought the whole matter had been well thought out, that our constitutional and legal obligations had been resolved. The Minister of Education has reminded us in his statement that all members showed a rare unanimity when this particular matter was brought forward.

I would like also to remind him what he and his party said during the election about how undemocratic the process had been to date. Not only was the public perhaps concerned about their input, but I am sure—I know I feel this way—some of the MPPs feel they did not have adequate input into the issue before the decision was made. Since that time there has been no public process or debate. That was partly the fault of the Progressive Conservative government. I make no excuses for it.

During the election all three leaders avoided the issue like the plague. They would not talk about it, answer questions or debate the issue. We debated it in my riding, as I have told members before.

Since the election there have been few questions in this Legislature about the issue and the impact of going ahead. Indeed, this is our first opportunity to talk about this particular matter. I realize the difficulty of talking in the open because this issue is sensitive. However, I also feel the process did not evolve because we were all reluctant to talk about it during the past year and blame must be shared by all of us as a result.

What does the process promise in the present and future in order to rectify this situation? Our new government has set forward its program, and I congratulate it on coming forward with some decision. I also think referring a matter to the



courts is correct. I am not sure yet whether they have asked the right question of the court. Perhaps a suspicion lingers from the Premier's (Mr. Peterson) response to my question yesterday, but I shall refer to that later. We are having second reading debate now and hearings will take place on the bill. Then there is the court hearing and, finally, third reading.

I would like the Minister of Education, perhaps in reply when he gets the opportunity, to tell me how the committee's debate is going to take place. If it decides to change some sections of the bill, will the Court of Appeal be dealing with the government's bill and will the Legislature then be dealing with another animal altogether?

I believe the final step of implementing the extension of funding by September 1 by order in council, not by a vote in this Legislature, will prejudice every member of this House in the future, regardless of what the hearings bring forth, regardless of what this Legislature finally says or wants to say on third reading and regardless of the outcome of the court hearings. Yet the Liberal Party complained about us making a mockery of the process.

The next issue I would like to talk about is our Constitution. I have heard the words "justice" and "equality" many times in this debate. I have seen those words used in letters I have received from supporters of the extension of separate school funding. I will always remember the member for Oshawa (Mr. Breaugh) telling me that justice is when you win. Many people have different feelings about what justice and equality really mean.

We now have a definition of "equality" in this country and this province. That definition is defined in the Charter of Rights, which says there shall be no discrimination, in particular based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. We have a definition of "equality" in this country. That definition means every individual and every group must be dealt with equally.

That is not what we are doing in this legislation. Bill 30 clearly discriminates. There are ways we can discriminate in this Legislature. The Constitution does provide ways to discriminate if we want to. Section 29 of the Charter of Rights says, "Nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of Canada in respect of denominational, separate or dissentient schools." So if we believe we have a constitutional legal obligation to fund separate

schools to the end of grade 13, then we can discriminate.

I think many members of the public and of this Legislature believe we do have a constitutional, legal obligation to fund separate schools to the end of high school. Quite frankly, I hope the court resolution says that in spades. If it does, I have no problem. I will vote for this bill on third reading and have no problem at all. But if it does not say we have a constitutional, legal obligation to support separate schools to the end of high school, then we must treat every group the same. We cannot discriminate against other groups. I will stand here and fight against that.

Do other people think section 29 really covers the extension of separate school funding? I am not alone in thinking it does not. J. J. Robinette, who offered the Metropolitan Toronto School Board his opinion, said:

"Whichever form it takes, it would constitute discrimination in favour of Roman Catholic school supporters as against all other persons who are taxpayers, and therefore, under the Charter, his proposal"—he is talking about Mr. Davis's proposal—"would be invalid by virtue of section 52(1) of the Charter, which provides that the Constitution is the supreme law of Canada and a law that is inconsistent with the provisions is, to the extent of the inconsistency, of no force or effect."

**4:30 p.m.**

Mr. Robinette does not think section 29 will cover the discrimination in this bill.

May I also read once again from Premier Davis's statement in August 1971: "We do not believe the refusal"—the refusal to provide extra school funding—"to do so rescinds any constitutional right; nor does it offer any further limitation or condition to the voluntary decision of any parent or child to choose between secondary education in the public system or in the private school of their choice."

As I said before, I hope I am wrong, I hope the former Premier is wrong and I hope J.J. Robinette is wrong. I hope I can stand here on third reading and vote for this bill because we are constitutionally obliged to do so. In that way, I can deal with the other people who want to fractionalize our system in a different manner and I can refuse them, if I so choose.

Another possible way members of the Legislature can get around section 15 of the Charter of Rights and Freedoms is that the court may decide it falls under section 1 of the Charter of Rights. I doubt that would happen, and Mr. Robinette apparently agrees with me on that matter.

Perhaps the third way is that which concerns me more than anything else, that is, that this government will come back here two years from now or maybe in two and a half or three or one and a half, when the Supreme Court of Canada finally determines this issue, and say: "We have already set up grades 11 and 12. We have already set up these schools. The court has said we cannot. We are discriminating against section 15(1) of the charter. We should opt out under section 33 of the charter." That is a direct admission that we would discriminate against one group or for one group in this Legislature, which I will not be part of.

In addition, section 33 would have to be renewed by a bill or a resolution of this House every five years, which is not a very solid base on which to build an education system.

I would like to read the words of the reference made by the Attorney General to the Court of Appeal. Members will have to excuse me for asking the Premier the question yesterday about whether he could refer it to the Supreme Court. I got another opinion from another Attorney General on that matter; so I guess even Attorneys General differ as lawyers differ from time to time.

The reference says, "Is Bill 30, An Act to amend the Education Act inconsistent with the provisions of the Constitution of Canada, including the Canadian Charter of Rights and Freedoms, and, if so, in what particulars and in what respect?" It does not ask whether we are constitutionally obliged to fund separate schools at the secondary level. It does not ask that.

We are going to get back a decision, or we may get back a decision, which will say, "It is constitutional as long as you use section 33 and opt out of the Charter of Rights." I do not think that is the impression the public out there has or that many of the people in here have. At least that was not the impression I got from the Liberal back-bencher, the member for Brampton (Mr. Callahan), when I heard him speak yesterday on this issue.

I do not know how many of the other members were under the impression that we have an obligation to fund to the end of secondary school. As I said before and as the former Premier said in 1971, I do not know how we can fund only one system or one group of individuals if we go beyond our constitutional obligation.

If we go beyond the deal we made when we put our country together, how can I say no to the Christian schools in Carleton-Grenville? How

can I say no to the Jewish schools? How can I say no to all the other schools? I cannot say no.

Without knowing the outcome at the Supreme Court of Canada as to whether we are obliged to do what we are doing, what we are considering is treading into that territory. We are taking one quantum leap beyond and admitting we are going beyond our constitutional obligation. Once we are beyond it, I do not know how one could say no to the other groups. I certainly will support their bid for funding at the same level and under the same conditions, if they will accept them.

It is odd when one reads the literature about this issue in other countries and in other provinces. They are going in one direction and we are going in exactly the opposite direction. Who is going forward and who is going backward? I do not understand it. I thought in a progressive society people moved towards the understanding of each other and the tolerance of others' views. That can only be learned by trusting each other and by putting each other together.

As I said in my opening remarks, I hope my approach to this debate and to this issue has lived within Sir Wilfrid Laurier's words, which the Minister of Education used in his statement. I have tried to approach this "not from the point of view of Roman Catholicism, not from the point of view of Protestantism, but from the point of view which can appeal to the consciences of all people irrespective of their particular faith...by all people who love justice, freedom and toleration."

I also must say to the minister we now have definitions of what "justice" means. "Justice" means our Charter of Rights and Freedoms. If we go beyond that charter, we are going backwards in this province.

In conclusion, I believe we are definitely stepping beyond our constitutional obligations. I believe the steps pronounced by the Liberal government are prejudicing our future decisions in this Legislature regarding, not only the extension of separate school funding but also funding to other private and parochial schools.

I believe all further matters, save for the public hearings and the court decision, should be delayed in order to be honest with the issue until we have a clear idea of where we stand with regard to the deal we made in 1867. I will honour that deal. Yesterday I asked the Premier whether he would honour the same deal.

**4:40 p.m.**

I cannot vote and I will not vote tomorrow for a piece of legislation that opens the door to more



division and segregation in our society. This is not adding two or three years to a second system of education; this piece of legislation goes far beyond that. I hope every member realizes it.

Thank you very much for letting me participate in this debate.

**Mr. Foulds:** I rise to support Bill 30. I do so with a feeling of full responsibility, considering the circumstances of my speech today, and those of the previous member, and considering the debate and the circumstances in which we find ourselves at present.

I do not think the decision taken by any member of this Legislature, whether to oppose or support this legislation, or support separate school funding, has been easily arrived at. It has not been easy for the political parties of this province, although their decisions were reached by much different routes.

I first want to pay some tribute to Donald MacDonald, leader of our party in the late 1960s and early 1970s when the discussion and debate was taking place about whether there should be an extension. I stress for the disappearing members of the press, the public and posterity, the words "extension of funding to the separate school system."

I want to pay tribute to Walter Pitman, who was then our education critic, as well as to their Liberal colleagues, Tim Reid, education critic, and the member for Brant-Oxford-Norfolk (Mr. Nixon), who was then the Leader of the Liberal Party. During those days, as the member for Brant-Oxford-Norfolk so aptly pointed out on two occasions in this session, there was not only a lot of debate but also the opportunity to reach an agreement among all three parties for full funding and to implement it, at least financially, in a way that was not seen as being so disruptive as it is at present.

I want to move on to the question of those who oppose. They do so because they say there has not been adequate debate. I admit debate has been stifled by the Conservative Party on this issue on two important occasions.

It was stifled in 1971, when there was the opportunity to reach a productive and fruitful all-party agreement, when the then Premier, Mr. William G. Davis, announced suddenly that his party would oppose extension of funding, hoping, he said in parentheses: "It would not become an election issue," and proceeding to make it just such an issue.

In the 1971 election, how much the issue had to do with the defeat of both opposition parties,

and their education spokespeople at the time, I do not know precisely, but it had an effect.

I want to point out to those who want a full, free and capable debate on this issue that the manner of the announcement by the Premier in 1984 precluded such debate. Both opposition parties had an opportunity to respond for five minutes after the Premier made his sudden announcement, which has been detailed by the previous speaker. That announcement came as a shock and surprise to everybody in his caucus, and in the Legislature.

We thought there was going to be an announcement by the Premier of an extension to full funding to end of grades nine and 10. That is what we assumed the announcement would be when, 10 minutes before the Premier made the announcement, we were advised that the statement would be made.

Let me just add another point and try not to be too partisan about this. After making the announcement, the Premier retreated to his bunker on the second floor of this building. He subsequently announced his retirement in October and, as I recall, came into this Legislature on only three occasions during the fall sitting. On one of those occasions we had to resort to the heinous practice of ringing the bells and withdrawing from the Legislature until the Premier agreed to come in and face questions. If we had to do that with every issue we wished to raise in the fall session of 1984, we would have held this Legislature up to ransom.

It is possible that the then two opposition parties, the New Democratic Party and the Liberal Party, bear some responsibility for not raising more questions about the issue, but those of us who understand the parliamentary process, understand there was no other mechanism for raising the matter. There was no mechanism for instituting a debate.

It is my view, therefore, that we all now find ourselves with the collective responsibility of simply doing the best we can with an issue, an issue that we in our party have debated thoroughly since 1968. I think people in the Liberal Party have debated it thoroughly since 1968; and if people in the Conservative Party have failed to debate it over those times and those years, that is their responsibility.

I would hope those members in all parties who have reservations about the legislation will feel free to speak in this debate and will take the opportunity to express their opinions in the debate on second reading, because surely of all things in this Legislature we should not and

cannot be afraid of, it is the free exchange of ideas, the free debate of those ideas. Although in my more cynical and sometimes frivolous moments I think a poet named L. A. Mackay, who wrote a poem called Frankie Went Down to the Corner, was accurate, and I adapt the wording slightly, "The Ontario Legislature is such a respectable place, / Thinking is no crime but it is still a disgrace."

If we could just set aside that particular little aphorism and try for once or twice in the history of a legislative session to actually exchange and debate ideas, it would be not only useful, but also it might be worth while in rehabilitating the reputation of the Legislature in this province, a reputation that has been severely damaged by the previous administration because so much of the previous administration's style was presidential rather than parliamentary in essence.

**4:50 p.m.**

Let me also say that there have been members of my own party, both on the hustings and since, who have disagreed with full funding to the separate school system, and they have said so publicly as candidates in Carleton-Grenville and in Metropolitan Toronto ridings.

There are members of our caucus who have some reservations about full funding, and they will be expressing those in the debate. We have not stifled that debate, nor do we plan to. I want to point out that at our recent council meeting more than 95 per cent of the delegates, and these are democratically-selected, representative delegates from all over the province, from every riding and affiliated organization of our party in this province, voted in favour of full funding.

I want simply to outline, because I think it is worth reading into the record, if and when I can find it, the resolution that was passed originally at our convention in 1970. I think the wording of the resolution has about it the wording of tolerance, the wording of generosity and the wording of hardheadedness that such a tough topic needs. I read it in its entirety:

"New Democrats define the goals of education in terms of the equal opportunity for education of every individual child in Ontario. We have accepted the principle that a continuous education must be equally open to every child of this province. The existence of two public school systems is deeply imbedded in the Constitution and the history of this province."

If I might just as an aside say this: it is important that we understand that there are two publicly-funded and public parallel school systems in this province. If I may say to the absent

member for Carleton-Grenville, they are imbedded not merely in the Constitution, because the Constitution is man-made, but they are also imbedded in the history of the province

In a parliamentary democracy, the history of the province is as important as the Constitution, because history is also man-made. We have about us the ability not merely to change laws, not merely to affect history, but also, if necessary, if a Constitution has an injustice in it, to right that injustice. It is important to understand, if I may be provocative and rhetorical, that some of the most totalitarian regimes in the world have the finest written constitutions. I point to the Soviet Union as an example. Its constitution, as written, is one of the finest documents devised by man; the regime, as practised, is not.

If I may get back to reading the resolution:

"The existence of two public school systems is deeply imbedded in the Constitution and the history of this province, but there are those who believe that a religious dimension is not the necessary complement to the full education of a full person. Roman Catholics insist that it is. They have backed their conviction with great self-sacrifice in sustaining a separate system of education. As Ontarians, we understand the history of our province. As socialists, we accept and must defend the principal diversity of our community. We would repudiate a situation which would effectually starve Roman Catholics into subservience of a majority view of secular education.

"The present situation," in 1970, as in 1985, "cries out for a solution. The public separate school system in Ontario suffers bitterly from the limitation of grants from grades 9 to 10 and their total absence from grades 11 to 13. The educational opportunities available to Catholic students are stunted. Their parents are subjected to what is effectively double taxation, the whole community suffers from this failure.

"The separate system of education in Ontario will not disappear. The fact is confirmed by more than a century of struggle. Furthermore, we state that continued existence and support is not in question here. Therefore, the separate public school system must be rendered able to provide full opportunities for its share of Ontario students, with a minimum cost in division and duplication of the existing educational program.

"It is to this end that the New Democratic Party endorses the concept of sharing plan. We offer Ontario a way of doing justice to Catholic children without imposing large, extra costs and waste of duplication. We call for full grants for



Catholic school children from kindergarten to grade 13 on the condition that separate school boards and public school boards join in planning shared facilities and services to meet the needs of all students in every community.

"In many parts of Ontario, programs of sharing are already in operation at the junior level. We know this co-operation can be extended in such areas as buildings, provision of special consultative services and student busing. Implementation of the concept of sharing promises justice to both the majority and the minority of our province."

The words of that resolution are as true today as they were in 1970. We reaffirmed that resolution at our 1984 convention and more recently at a provincial council meeting held in June, 1985.

There are only two arguments I have heard against extension of funding. One is the constitutional argument, about which I am not convinced. I do not pretend to be a constitutional expert and I wish the former member for Riverdale, Jim Renwick, were here to help us in this debate. I am not convinced of the constitutional argument and I will get to that in a moment.

The other argument used against funding separate school systems is just that: it is an argument against funding separate school systems, not an argument against the extension of funding to separate school systems. It is crucially important in understanding the history of this question in Ontario that we have two Protestant separate school boards in this province today, one of which is functional. What we have to understand is that in the 19th century, as education developed in Ontario, the first school established in an area was a public school and it was a public Protestant school or a public Catholic school based on the religion of the teachers.

**Mr. Haggerty:** And ten families.

**5 p.m.**

**Mr. Foulds:** No; just hold on. If there were 10 ratepayers of a different persuasion in the district who wished to establish a separate school, they could do so and could select their teacher accordingly so it would be a separate Protestant or separate Catholic school. Those who do not understand that simple principle do not understand that embedded in the history of the province are two parallel school systems. If they do not understand that, they do not understand that their argument is against the funding of those systems to the end of grade 8.

Do those who argue against the extension because of its diversity, because of its supposed divisiveness, because we should have our children mingling together from a very early age on, have the courage to try to abolish the existing separate school system? I suggest they do not have that courage. They do not have that in view, although that is the essence of their argument.

Their argument is not against extension; it is against the existing school system. I say to them they cannot do away with, they cannot rip apart, they cannot demolish 140 years of history in this province. If we were starting from scratch there would be an entirely different debate taking place. But we are not starting from scratch. We are living with our history and our traditions. I do not want to see that history and those traditions smashed and broken down.

As mere legislators, we have to try to do the best we can in the historical circumstances. We find ourselves in historical circumstances where we must be true to the commitments made in the 1840s and at the time of Confederation, and to the commitment made by the Premier in 1984.

Those people who say debate has not taken place on this issue fail to understand that debate has taken place for 140 years. There was vigorous and full debate for three years between 1968 and 1971. There was vigorous and full debate between June 1984 and this moment.

It is only at this moment, unfortunately, that we are debating this issue in this Legislature, but every member of this Legislature who ran in the last provincial election—and everybody here did run in the last election or would not otherwise be here—knew there was active debate at the only level that really counts, that is the riding association level.

It may be that the three leaders tried to ignore the issue, but they were unable to do so. Everybody in my riding, and I am sure everybody in the ridings of the member for Erie (Mr. Haggerty) and the member for Carleton-Grenville, knew where all the candidates stood on the issue.

I do not know about other members of this Legislature, but I participated in about 15 all-candidates debates, some of them even elevated to the exalted status of being televised on the local channels, both community and commercial. Every time, all the candidates were asked where they stood on the separate school issue and every time most of us answered that question to the best of our ability.

The electors of this province knew whom they were electing in the last election when it came to

this issue. It may not have been the only issue on which they decided their vote, but it was a contributing factor.

There has been debate in the press, on public platforms and during the course of the election. Now there is debate taking place here, and there will be continued debate in the Legislature. Although we may not have had as full, extensive or acrimonious debate as some would wish, we have had debate. As in all things, it has been imperfect.

I suspect the legislation is imperfect. I suspect our Constitution is imperfect. I suspect the debate we are having is imperfect and what we will wind up with will be imperfect. But somehow we will make it through. We will find a fairly satisfactory solution to a very difficult and troubled time and issue.

I also want to touch on some of the arguments the previous speaker brought out. He talked about our constitutional obligation and whether we are contravening that obligation. In a number of areas, Legislatures go beyond obligation and perform duties. They go beyond obligation and perform true acts of a Legislature, acts of generosity. In some cases, they even pass acts that have not been challenged in the courts but discriminate in subtle ways. Let me give an example.

In the field of labour relations in this province, there is an act called the Employment Standards Act. It is a very minimum piece of legislation that protects certain rights of working individuals. We also have an act that deals with collective bargaining for unionized groups of employees, those employees who have been fortunate enough to form together in a collective unit to carry out bargaining procedures with an employer.

Frankly, that collective bargaining act gives the second set of employees more rights than the first set of employees. In other words, unionized employees in this province have better contracts and somewhat more rights than nonunionized employees. No one has challenged the collective bargaining act of any Legislature in this country. Every Legislature of the country has a collective bargaining act of some kind as being unconstitutional.

In other words, it is an act of generosity; it goes beyond constitutional obligation.

With all due respect to Mr. Robinette, I suspect it is possible for both Parliament at the federal level and a Legislature at the provincial level—and let us remember this Legislature predates our federal Parliament and has greater

historical precedence and antecedents—to go beyond obligation and pass legislation that is an act of generosity, that gives more than it may be obliged to.

I have no worry about the constitutional finding and the constitutional reference that this government has made, but I fail to see how an act of generosity—I use the word “act” in both senses, that of a piece of legislation and that of an action—and an act of fairness that goes beyond an act of obligation can be unconstitutional.

It is important that we as lawmakers are conscious that we pass not merely punitive laws, which has been the legal tradition of lawmaking in the British parliamentary tradition, but also acts of generosity and fairness. It is for that reason that I support this legislation; I believe it is an act that goes a long way to righting a historical wrong. I believe it is an act that will ensure the diversity of our multireligious and multicultural province. I believe it is an act that will improve the schooling of the children of this province.

**5:10 p.m.**

That gets me to another point. A lot of the fear surrounding the debate on this piece of legislation has to do with the insecurity many people feel with regard to the public funding of our public secondary school system.

It is important to put on the record that the previous administration, since at least 1975 when I was still the Education critic for our party, has chronically underfunded the school system of this province. The Conservatives, and Mr. Davis in particular, took a great initiative in building and burgeoning the school system, and then, in operational terms, from 1975 and 1976 at least, started to systematically underfund it on its operational costs, having overbuilt it in a capital way previously.

One of the things surrounding this debate is the insecurity felt by people who both work in and send their children to the so-called public school system. They feel their system, to put it in blunt terms, will be deprived of dollars that will be diverted to the separate school system.

I urge the government with every ounce of persuasion I can muster not to continue that underfunding. The statement of the Treasurer (Mr. Nixon) tomorrow and the budget coming in the fall must begin to redress that problem. The Minister of Education understands that problem now. Somehow, somewhere, we must find the revenues to fund the educational system properly.

I throw out to the Minister of Education, as I threw out to the Treasurer in my debate on



interim supply, a place where we can start to collect uncollected revenues. I refer to the \$1.3 billion in uncollected corporate taxes in this province. I throw out the suggestion of getting that revenue.

It is not a radical or wild suggestion, but a suggestion of Eric Kierans, that we simply start charging the prime interest rate plus one per cent on that uncollected corporate tax and it will start rolling in very quickly indeed. The government could get substantial revenues by such a method.

I plead with this Legislature to pass the bill. I plead with those who disagree to stand up and say so, I hope with good argument and intelligence, but with no anger, hatred or heat. We can pass this legislation not only in good conscience, not only because we have made a commitment to pass it and not only because the previous Premier twice removed made an arbitrary commitment, but also because it is fair and good and rights an injustice.

**Mr. Poirier:** I am pleased to have this opportunity to speak in favour of Bill 30 and to have as the Minister of Education the member for Renfrew North, who I think was the best-placed person to bring forward Bill 30 for the needs of the separate schools.

I am proud that my government is taking the initiative in bringing this forward, with the support of all three parties in this House. I think a great injustice is going to be corrected with this bill. If one looks back at the history of Canada, and of Ontario in particular, Bill 30 will set the road straight after more than 140 years of differences, opposition, school fights and global injustice.

The Charter of Rights and Freedoms will give a new definition to the word "equality." Bill 30 respects that new definition. There will be equality between our two traditional systems, public and separate, and it is about time.

Je parle à titre de Franco-ontarien, à titre de catholique. Si on regardait tous les volumes, tous les dossiers qui ont étudié l'histoire de l'Ontario, et de l'éducation en particulier, il y aurait suffisamment de matériel, soyez certain M. le Président, pour remplir une immense bibliothèque.

Je me réjouis parce que, comme Franco-ontarien et catholique, finalement nous allons l'avoir l'égalité, d'un bout à l'autre du système. Nous recherchons finalement d'avoir accès au même financement, pour que l'école secondaire catholique puisse avoir accès aux mêmes programmes, en qualité et en quantité, courtoisie de l'ensemble des contribuables de l'Ontario. Je

crois que nous avons été assez pénalisés. Je me rappelle le cas de mon école secondaire, c'était à ce moment-là dans les années 60: parce que nous avions osé choisir une école secondaire catholique, nous étions dans l'impossibilité d'avoir autant de services que nos amis de l'école secondaire publique.

Je suis convaincu que la loi 30 est une loi juste envers tous et toutes à l'échelle de l'Ontario. Je suis convaincu que la justice sera rendue pour tous, pour que globalement, le système de l'éducation de l'Ontario représente cette dualité basée sur la religion, et cette dualité est basée sur la langue qui a fait de notre province une grande province.

Et je suis convaincu que dans ma circonscription de Prescott-Russell—plus particulièrement dans les comtés unis de Prescott-Russell—les deux conseils scolaires (le Conseil d'éducation de Prescott-Russell et le Conseil des écoles catholiques de Prescott-Russell) sauront s'entendre pour que les jeunes de Prescott-Russell, les parents, les contribuables, les enseignants et les enseignantes puissent trouver justice, dans une situation mutuellement acceptable pour les deux parties.

**5:20 p.m.**

I was present to hear the objections of the member for Carleton-Grenville. I respect him in his opinion, and believe he is quite sincere in putting forward that position. However, I also heard the position of the member for Port Arthur (Mr. Foulds). The question remains as to the mandate of a government in relation to constitutionality: Do we work at minimum output or maximum output?

Ontario is one of the greatest political entities of the world. We have more than many other entities in the world, but that does not mean we have to sit back and say we have enough. We always have to strive to make sure Ontario leads the way and sets an example of respect for justice across the board, especially in this historical context. I honestly believe Bill 30 will take into account the historical perspective of education in Ontario and correct the situation that was there in order to have real equality between the supporters of the public and the separate system in Ontario.

I am proud to work with this government. All three parties have recognized this and are working very hard to support this to see it through. It makes me proud to be an Ontarian, and that is why I want to say we are going to work at the maximum and Bill 30 is a reflection of that.

I am proud to serve in this Legislature to see this bill passed.

**Mr. Guindon:** I am pleased to speak on the issue of the extension of Catholic school funding in Ontario. The time has come to fund fully both our education systems to ensure that all the children of this province have access to an equal education.

The implementation of the extension of funding has created concerns and tensions in some areas of this province. No doubt the hearings on the legislation will do much to air these concerns and these tensions. We will all be listening carefully to the views expressed during these hearings. However, much can be accomplished if only the issues can be tackled with a spirit of co-operation leading the way. After all, Saskatchewan long has fully funded two separate systems of education and minimal problems have been encountered.

Right here in our own province, much has already been accomplished by the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. Of 40 boards submitting plans for implementation this fall, 38 have managed to reach agreements on implementation that have been approved by the commission.

I might point out that of the 38 approved plans, one in particular stands out as a model of co-operation. The Stormont Dundas and Glengarry County Board of Education and the Stormont Dundas and Glengarry Roman Catholic Separate School Board committed themselves to a co-operative approach to education long before the former Premier, Bill Davis, announced the government's intention to extend full funding on June 12, 1984.

Mr. T. R. Leger, director of the Stormont Dundas and Glengarry County Board of Education, explained why the boards decided to adopt the co-operative approach.

He said: "We need each other. Both systems have declined in enrolment to the point where neither alone can maintain its level of services. We had already started co-operating well before last June's decision on separate school funding. We share a mainframe computer, a print shop, a translation facility and have co-operated on curriculum development. This year we decided to amalgamate our learning materials centre, delivery services and stores. Since we share a computer, the bookkeeping is easy. The next item on our sharing agenda is transportation."

I would like to commend both boards for having approached this new challenge with good

sense and an open mind. I hope all other participants involved in the extension of full funding of the Roman Catholic schools will adopt a similar approach, one that puts educational priorities and the welfare of our children above territorial claims.

Une chose est certaine, quelle que soit la question du financement du système catholique en Ontario, les Franco-Ontariens de cette province ont leurs propres inquiétudes. Il y a deux questions—les plus importantes—auxquelles ont devra répondre avant que les Franco-Ontariens soient prêts à envoyer leurs enfants dans le réseau catholique, à savoir le financement et la juridiction. Les Franco-Ontariens ne veulent pas envoyer leurs enfants dans les écoles catholiques à moins que le financement et les services assurés ne soient équivalents à ceux actuellement disponibles aux meilleurs et que la collectivité ne continue à être consultée sur la gestion des écoles de langue française.

La bonne volonté et la participation de tous—parents, instituteurs et conseils scolaires—seront essentielles si on veut résoudre ces problèmes de façon que nous ayons un système d'éducation aussi bon et équitable que possible, dans les écoles publiques et dans les écoles catholiques séparées.

I realize some groups and individuals believe very strongly that there are considerable difficulties with the extension of full funding. There is no question it is a complex issue, and many problems will need to be addressed and resolved to the satisfaction of all parties concerned before it can be implemented.

That is why I look forward to participating in the public hearings that will be taking place before the standing committee on social development. These will not only serve to highlight the issues involved in the implementation of the funding, but will assist in providing effective resolutions.

We are committed to listening to all interested parties on this issue. I only hope that in the course of these discussions we will never lose sight of the fact that, above all, whatever the decisions we must reach may be, they must benefit all our children, whether they are enrolled in the public or separate school system.

**Mr. Lupusella:** I am pleased to rise and participate in this great debate pertaining to the principle of Bill 30. I consider this debate a historic one. I think some comments which have been made by certain members of this Legislature, such as the member for Carleton-Grenville (Mr. Sterling), are without contest.



Of course, we are politicians and we play our political games. Particularly if we go back to the root of the problem, the Conservative Party should be blamed, if we are going to place the debate within the right political perspective. We are not here to place the blame but to recognize the urgency of the situation and to put an end to an injustice which has been carried on for many years in Ontario.

That is what this political debate should have been all about instead of attacking practices and procedures, when at the root of the debate it is a political position we are against, or certain individuals who are against the extension of funding. We cannot play this political game because the time is right. The extension has to take place in Ontario because too many kids going to Roman Catholic separate schools have been bearing the burden of a decision or political unwillingness coming from the Conservative Party for the last 42 years and they have suffered.

On top of that, we have been faced with the political decision by the Conservatives about the issue of underfunding, when we know the request for the extension has been made every year. We must make sure today that Bill 30 becomes a reality.

**5:30 p.m.**

I would like to inform the members of this Legislature that I never had a problem about the principle of Bill 30 because in 1975, when I was first elected in the great riding of Dovercourt, I ran on that issue. Again, I portrayed that issue in the election of 1977, the election of 1981 and the election of 1985. When this issue became public in 1985 and a debate was evolving a little, I did not have any problem with answering questions even at public all-candidates meetings.

The forces that were already getting together were using the approach of procedure and practice for the implementation when we know there are little groups that are opposing the principle of the extension, which is a reality. It does not make any sense to play political games with practice and procedure on the implementation of Bill 30.

The best way for us, as politicians, is to be frank with the public and express our political opinion to them, saying, "I oppose the principle of the bill and I do not have to use political rhetoric about the hiring process of teachers who might be unemployed or say the public did not have an opportunity of having input on the debate." What they are hiding behind procedure and practice is the principle of being against the extension.

I do not like that type of politics because the Progressive Conservative Party in Ontario for the last 42 years created the problem. I think the Treasurer (Mr. Nixon) was right in saying this issue was supposed to be tackled in 1971 or even 20 years ago. We should not have to contest the issue of whether it is constitutional.

We know this province is spending in the range of \$3 billion from the general revenue fund to fund the system, but we also know the same amount of money is coming from home owners through their property taxes to fund the system. If the Liberal Party would like to end an injustice in this province, it should remove the amount that is obtained from property taxes for the funding of the school system in Ontario. The total amount in the range of \$6 billion should come from the general revenue fund.

I do not think anyone will scream about this issue any more in Ontario because everyone has the right to education in Ontario. Everyone is making contributions through income tax to the wellbeing of this government and the federal government; therefore, they should get the right service. I think the great unfairness of the system lies in the fact that home owners are more or less carrying the burden of subsidizing the educational system. They have the choice of directing a portion of their money that is paid through a form of property taxes either to the public school or the separate school.

I think it is unfair. Ontario under the Liberals will have an opportunity, apart from the principle of the implementation of Bill 30, to review the regressiveness of the property tax system in Ontario to make sure the portion of money that is allocated from property taxes, either to a public or separate school, comes from the general revenue fund in the range of \$6 billion, I guess, and to fund both systems equally by eliminating the injustices that have been created by the Conservatives for the last 42 years.

It will end this unfair system, which was created by the Conservatives in Ontario. We have a spirit of reform in Ontario because the Liberals now have an opportunity to govern. I think the Minister of Revenue (Mr. Nixon) should take a look at this situation to end this type of discrimination against home owners in Ontario. The Tories have always eloquently said we have the best education system in the world, but in the meantime, they were quick to implement tax increases on the home owners in Ontario to subsidize the system. They cannot have it both ways.

In the last provincial election, the Liberals said this province is spending \$25 billion a year and that amount of money should be equally distributed to all ridings across Ontario without any political interference, so that all citizens in Ontario would get a return on their investment. The Tories have been using the total budget of \$25 billion for their own political interests alone.

The Tory candidate running against me in the last provincial election was telling the voters, "You need a representative on the side of the government if you would like to have something from the government." Those types of comments were making no sense because people living in Dovercourt are like citizens in other ridings; they have the same rights and deserve the same type of return from the money this province is spending.

Today I am associating myself with the spirit of the principle incorporated in Bill 30. I do not have any particular objection and I have no particular position that would change my mind to oppose the bill. I think the bill is overdue. The Tories were supposed to do that maybe 20 years ago. The tool that is incorporated in the principle of Bill 30, to have public debate on the bill, which is part of the democratic process, should be used really to have constructive criticism coming from the public to improve the legislation.

If members of the committee or representatives of particular organizations that are going to appear before the committee use particular political devices to attack the practice and the procedures and the way in which the bill is going to be implemented, what we are going to do is create a division of the people across Ontario on something that is completely right. It is the duty of this government to pass this legislation as soon as possible in the way that has been described.

**5:40 p.m.**

I have great confidence in this bill, and so do voters in the great riding of Dovercourt. I have received many letters about the support my party has been giving to the passage of this bill. I do not want to read the congratulatory letters because there are so many, but I think the public is anxiously expecting it to be passed. Students who have chosen separate schools as a way of continuing their post-secondary education have been penalized for so many years in this province as a result of the political unwillingness of the Conservative Party to end this type of injustice. They have been penalized in different ways.

First, they have been penalized by paying taxes at the end of the year and a portion of their income tax is devoted to the provincial and

federal governments. Further, property taxes were based on the principle implemented by the Conservatives, which is very regressive in Ontario, and I hope the Liberals will do something about it.

As well, they have been penalized for sending their children to separate schools, for which they were supposed to pay extra. The Tories tell us we have the best education system in the world, when in fact we are penalizing people to attain that achievement. I do not think there should be any doubt that any investment made in the education system of Ontario is for the purpose of building a better society. It is for the future. Our children will be the next generation. The more money we spend, the better tomorrow's society will be.

This type of debate, people opposing the bill or having reservations about a procedure used on purpose to oppose it, though they do not want to say so to the public, is unfair. I hope the lead taken by the government is the right one. My support is clear; I think the support of the people in Dovercourt is clear also.

**Mr. Reyecraft:** Since this is the first opportunity I have had to speak in debate since joining the Legislature, I want to take advantage of the occasion to congratulate the Deputy Speaker (Mr. Treleaven) and the Speaker (Mr. Edighoffer) on their appointments, and also to compliment them on the capable manner in which they have assumed their duties.

It is my perception that the task of the Speaker is becoming more difficult, rather than the converse. However, that may be due to the vantage point from which I have been viewing the events and the change in that vantage point.

I am very pleased to become involved in this debate. As a member of the Legislature who has spent some 23 years as a teacher in public, elementary and secondary schools in Essex and Middlesex counties, I have listened with particular interest to what various members have had to say.

I am a relative newcomer to partisan politics and therefore I have to admit I have not been as deeply involved in this issue as many other members have been in years past. I must also admit, therefore, that when I first heard the then Premier Davis's announcement on June 12, 1984, my initial reaction was instinctively one of some concern and apprehension. I hasten to add that was not due to the extension of funds to a separate school system, although I have to agree with what the member for Port Arthur said earlier



this afternoon, that the sentiment does exist with some individuals.

My concern dealt with the viability of the high school in Glencoe where I obtained my secondary school education and in which I taught for 14 years. That school is a lot like many other secondary schools in the rural parts of this province. Its enrolment is not very large, 450 students, and it is already under some pressure to maintain a viable program. Any measure that results in further decline in enrolment in that school and others makes the school administrators' task to continue a viable program more difficult. However, I have considerable confidence in the commitment and ability of those administrators, not only to maintain the programs they have now, but to enhance their viability.

I initially experienced some feeling of concern, like other employees in the secondary schools of Ontario, that this measure might have the impact of reducing the number of positions, both teaching and otherwise, in the public education system. I have examined the bill brought forward by the Minister of Education (Mr. Conway), and I am satisfied that concern has been very fairly addressed.

Other members spoke yesterday and today about the controversy that has existed in our varied communities since that announcement on June 12, 1984. The remarks of the member for St. George (Ms. Fish) were particularly appropriate. She spoke of the confusion that has surrounded this issue and has fueled the controversy. Some of that confusion may very well have been deliberately created. That is most unfortunate and inappropriate in view of the sensitivity of this issue. I agree with her; it is a valid point.

Other members have spoken about the lack of information that exists in association with this issue. I noted the comments of the member for Windsor-Riverside (Mr. D. S. Cooke). He spoke of the concept he heard expressed frequently during the election campaign, that the issue revolves around a new system of publicly funded education rather than a simple extension to a system that has been publicly funded for more than a century. That is a sentiment I have heard expressed as well, and it needs to be clarified.

There has been considerable dialogue, as other members have said this afternoon, since June 1984. As a result, we have a public today that is much more knowledgeable on the issue than it was when the announcement was made. We have also had considerable strong and sometimes

inflammatory rhetoric on the issue, rhetoric that has not always been accurate. That, in essence, has tended to create a public that, in addition to being more knowledgeable, is also more polarized.

I want to compliment the Minister of Education. He has had to sort through the varied information before him and the rhetoric that has been expressed. He has done so, and, in a very thoughtful and fair manner, he has addressed the real and valid concerns of the many who have opposed extended funding.

**5:50 p.m.**

Much has been said about the cost of extended funding. I want to address that aspect of this issue rather briefly. The estimate has been given publicly by the minister that the annual cost to the system, once extension is fully implemented, will be something in the order of \$150 million per year. To put that figure into perspective, I understand it represents approximately a 2.5 per cent increase that would be required in the total annual budget of the ministry. It is not the relativity of the amount that is important. It is important that we look at the source of the additional cost.

It is estimated that the \$150 million will be the result of some 30,000 students remaining in a system of secondary education that to date has been only partly funded by the taxpayers of the province. Extension or no extension, those 30,000 students will not leave that secondary system. They would continue to obtain their secondary education, but they would do so at a sacrifice on the part of their parents and the teachers in their system, a sacrifice made by their predecessors for many years. The people making that sacrifice have been doing so to provide the necessary tuition for their own children at the same time as they had to contribute through their taxation to the public system.

I might note also that had those students entered, or—if funding were not to go through—should those students enter the already publicly funded secondary system, the additional cost to the taxpayers of this province would be something in the order of \$120 million per year. I think those numbers tend to put the cost of the system into a better perspective.

I spoke of the sacrifice that parents and teachers have made and I think that sacrifice was referred to yesterday by the member for Sudbury (Mr. Gordon). He referred to them as "the years of injustice." I am proud to be part of this Legislature at a time when those years of

injustice are ending and when fairness is being restored to the education system of this province.

Much has also been said of the proposed use of an order in council to make funding available this fall to grade 11 in the separate school system. I am sure this government would very much prefer not to use that means to implement the funding, but the fact remains that there are in excess of 6,000 students and approximately 280 teachers in this province who have made educational and career decisions based on the commitment expressed by the then Premier Davis. Those choices have been made, timetables are being prepared and class lists are being readied. To do anything other than proceed with funding this September would result in chaos within the system.

Since circumstances will not permit the funding to be implemented by the legislative route, then it seems to me that an order in council is the only practical alternative. I think it is also worth noting that previous governments deemed it appropriate to use the same mechanism to extend funding to grade 9, grade 10, kindergarten and prekindergarten, so no precedent is being established.

I consider myself extremely fortunate in my first opportunity to stand in my place and speak in this Legislature that I am able to be involved in a debate that has historic dimensions. I have examined the legislation carefully and I am pleased with what I have found. I am satisfied it provides for the long-awaited completion of a publicly funded system of education that has existed for 140 years. In fact, it is a return of something we have not experienced—fairness—to that system in this province for over a century.

I am satisfied we are not endangering the excellence that has been instilled in the existing system under both public and separate boards. I think in the long run that excellence will be enhanced.

I also think we are providing very just and reasonable protection to the people who are engaged in the delivery of the service and who may face redundancy as a result of the implementation of this bill.

Obviously, I will be supporting the bill.

**Mr. Hennessy:** I rise to lend my support to the funding of the Roman Catholic school system. Since the Day act of 1841, Ontario has publicly funded two separate systems of education. The right of the Roman Catholic separate school system to receive public funds is guaranteed in the Constitution. The question to be decided by this Legislature is not whether the two systems

shall receive public funds. That question was answered by the Constitution. Ontario is obligated to provide funding.

The question to be decided is whether the time has come to fund both systems equally. I believe it has. All the students in this province should have access to an equal education. The best interests of the future of this province will be achieved through two fully funded systems of education, not through one fully funded system and one partially funded system.

The actual details of the implementation of extended funding have caused many people to be concerned. However, there is ample evidence these problems can be resolved. The planning and implementation commission has been hard at work for a year now and has been able to accomplish much. Forty boards have decided to accept extended funding for this fall. Of these 40 boards, 38 have been able to submit plans that have been approved by the commission. In each of these instances the details of the implementation of full funding have been worked out to the commission's satisfaction.

In my own riding of Fort William, the implementation of funding for grade 11 this fall has been worked out to the satisfaction of all the parties involved and has been approved by the planning and implementation commission. In the light of the agreement and consensus achieved on this issue in the riding, the separate school board has spent \$700,000 in preparation for the change. In Fort William, we are all ready to go this fall.

I realize that consensus and agreement have not been so easily achieved in other areas of this province. Many groups and individuals have concerns about the details of implementation and some people do not support the extension of full funding.

The standing committee on social development will be holding hearings over the course of the summer which will allow groups and individuals to air their concerns. We in the Progressive Conservative Party will be listening carefully to the views expressed at the hearings. I am confident the hearings will provide a framework in which the problems associated with the implementation of full funding can be brought to light and resolved.

I wish to conclude by saying I lend my support to the funding of the Roman Catholic school system.

On motion by Ms. Gigantes, the debate was adjourned.

The House adjourned at 5:58 p.m.



## CONTENTS

Wednesday, July 10, 1985

## Statements by the ministry

Bradley, Hon. J. J., Minister of the Environment:	
<b>Environmental assessment</b> .....	642
Elston, Hon. M. J., Minister of Health:	
<b>Air ambulance service</b> .....	653
Fontaine, Hon. R., Minister of Northern Affairs and Mines:	
<b>Dash-8 aircraft</b> .....	642
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Property tax assessments</b> .....	641

## Oral questions

Bradley, Hon. J. J., Minister of the Environment:	
<b>Intervener funding</b> , Mrs. Grier, Mr. Brandt .....	652
Elston, Hon. M. J., Minister of Health:	
<b>Nursing homes</b> , Mr. D. S. Cooke .....	650
Fontaine, Hon. R., Minister of Northern Affairs and Mines:	
<b>Dash-8 aircraft</b> , Mr. Bernier .....	653
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Property tax assessments</b> , Mr. Rae, Mr. Dean, Mr. Reville .....	647
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology:	
<b>Plant shutdowns</b> , Mr. Gillies, Mr. Morin-Strom .....	649
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Former government's commitments</b> , Mr. F. S. Miller, Mr. D. S. Cooke, Mr. Andrewes .....	643
Riddell, Hon. J. K., Minister of Agriculture and Food:	
<b>Farming debts</b> , Mr. F. S. Miller, Mr. Stevenson, Mr. Rae, Mr. Villeneuve, Mr. Ramsay .....	644
<b>Countervailing tariffs</b> , Mr. Stevenson, Mr. Ramsay .....	648
<b>Agricultural funding</b> , Mr. Ramsay, Mr. Stevenson .....	648
<b>Agricultural trade</b> , Mr. McKessock, Mr. Andrewes .....	651
<b>Spills bill</b> , Mr. Stevenson .....	651
Wrye, Hon. W. M., Minister of Labour:	
<b>First-contract disputes</b> , Mr. Foulds .....	650

## Petition

<b>Teachers' pensions</b> , Mr. Offer, tabled .....	653
---	-----

## Motions

<b>Committee substitution</b> , Mr. Nixon, agreed to .....	653
<b>Committee membership</b> , Mr. Nixon, agreed to .....	658
<b>Committee sittings</b> , Mr. Nixon, agreed to .....	659

**First readings**

<b>Loi sur l'exécution forcée d'ordonnances alimentaires et de garde d'enfants, Bill 14,</b> Mr. Scott, agreed to .....	653
<b>Loi sur le droit de la famille, Bill 1, Mr. Scott, agreed to .....</b>	653
<b>Peterborough Civic Hospital Act, Bill Pr20, Mr. Turner, agreed to .....</b>	654
<b>City of Hamilton Act, Bill Pr4, Mr. Charlton, agreed to .....</b>	654
<b>City of Hamilton Act, Bill Pr34, Mr. Charlton, agreed to .....</b>	654
<b>Canadian National Exhibition Association Act, Bill Pr16, Mr. Shymko, agreed to .....</b>	654
<b>Historic Vehicle Society of Ontario Act, Bill Pr2, Mr. Mancini, agreed to .....</b>	654

**Government motions**

<b>Committees, resolution 6, Mr. Nixon, Mr. Martel, agreed to .....</b>	654
<b>Committee sittings, resolution 7, Mr. Nixon, Mr. Breaugh, Mr. Grossman, Mr. Martel,</b> agreed to .....	655

**Second reading**

<b>Education Amendment Act, Bill 30, Mr. Conway, Mr. Nixon, Mr. Sterling, Mr. Foulds,</b> Mr. Poirier, Mr. Guindon, Mr. Lupusella, Mr. Reycraft, Mr. Hennessy, adjourned ...	659
---	-----

**Other business**

<b>South African wines, Mr. Warner .....</b>	641
<b>Notice of dissatisfaction, Mr. Warner .....</b>	653
<b>Adjournment .....</b>	674



**SPEAKERS IN THIS ISSUE**

Andrewes, P. W. (Lincoln PC)  
Bernier, L. (Kenora PC)  
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
Brandt, A. S. (Sarnia PC)  
Breaugh, M. J. (Oshawa NDP)  
Cooke, D. S. (Windsor-Riverside NDP)  
Dean, G. H. (Wentworth PC)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
Fontaine, Hon. R., Minister of Northern Affairs and Mines (Cochrane North L)  
Foulds, J. F. (Port Arthur NDP)  
Gillies, P. A. (Brantford PC)  
Grier, R. A. (Lakeshore NDP)  
Grossman, L. S. (St. Andrew-St. Patrick PC)  
Guindon, L. B. (Cornwall PC)  
Hennessy, M. (Fort William PC)  
Lupusella, A. (Dovercourt NDP)  
Martel, E. W. (Sudbury East NDP)  
McKessock, R. (Grey L)  
Miller, F. S. (Muskoka PC)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
(Brant-Oxford-Norfolk L)  
Offer, S. (Mississauga North L)  
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental  
Affairs (London Centre L)  
Poirier, J. (Prescott-Russell L)  
Pope, A. W. (Cochrane South PC)  
Rae, R. K. (York South NDP)  
Ramsay, D. (Timiskaming NDP)  
Reville, D. (Riverdale NDP)  
Reycraft, D. R. (Middlesex L)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Scott, Hon. I. G., Attorney General (St. David L)  
Stephenson, B. M. (York Mills PC)  
Sterling, N. W. (Carleton-Grenville PC)  
Stevenson, K. R. (Durham-York PC)  
Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wiseman, D. J. (Lanark PC)  
Wrye, W. M. (Windsor-Sandwich L)







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## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Thursday, July 11, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, July 11, 1985

The House met at 2 p.m.

Prayers.

## ESTIMATES

**Hon. Ms. Caplan:** I have a message from the Honourable the Lieutenant Governor signed by his own hand.

**Mr. Speaker:** John B. Aird, the Lieutenant Governor, transmits estimates of certain sums required for the services of the province for the year ending March 31, 1986, and recommends them to the Legislative Assembly.

## NEWSPAPER ARTICLE

**Mr. Sterling:** On a point of privilege, Mr. Speaker: This morning in the Toronto Sun, Lorrie Goldstein wrote and implied I would miss my chauffeur and my nice salary when I was no longer included in the cabinet. I want Mr. Goldstein to know that when this member was a cabinet minister, he did not take advantage of that perk and did not have a chauffeur for the last three and a half of the four years I was a cabinet minister. I hope some of my Liberal colleagues will follow that example with regard to what they do.

Also, when I became the member for Carleton-Grenville in 1977, I took a greater pay reduction than I did when I was no longer a cabinet minister and became the member for Carleton-Grenville once again.

## STATEMENTS BY THE MINISTRY

### MASTERS GAMES

**Hon. Mr. Eakins:** I wish to comment now on a Globe and Mail news article because I will be leaving the House very shortly to open the games for the physically disabled in Windsor.

The article, appearing this morning, cites some serious financial and organizational concerns regarding the world Masters Games in Toronto, beginning August 7. It states further that a request has been made to the federal government for \$500,000 to ensure the success of these games. Because my ministry has been responsible for amateur sport, and given the commitment of the previous government, I feel I

should clarify the existing government's position in this matter.

I wish to bring to the attention of this House that the provincial commitment was originally for \$150,000 towards the operation of the games. An additional \$25,000 has been provided for a sports medicine symposium and an additional \$32,000 will allow the games' organizers to hire summer students. These provisions have raised our commitment to \$207,000.

Therefore, while we support the concept and the worthiness of these world Masters Games and fully recognize the tremendous impact in athletic and economic terms, I am convinced this government has more than met its obligation to the Masters Games' organizers.

## ESTIMATES

**Hon. Ms. Caplan:** I would like to elaborate on the estimates for 1985-86 tabled today. Given that we are already into the second quarter of the current fiscal year, I feel it important to ensure that this Legislature is aware of the spending framework established by the previous government which has been in place to date.

In isolation, these estimates do not represent how this new government will direct the expenditure of public funds this fiscal year. We will be revising spending authorities as we review previously planned expenditures. The Premier (Mr. Peterson) announced in his ministerial statement on July 2 that we are already pursuing a government-wide freeze and review of all advertising expenditures.

As a reflection of this government's firm commitment to sound and fiscally responsible management, other activities will also be subjected to cost-conscious scrutiny. In particular, we will be reviewing the direct operating expenditures of all ministries, including salary budgets, travel and hospitality provisions and allocations for consulting services.

Through our examination of spending plans, we will be redirecting funds to the priorities on our agenda. We will, of course, seek legislative authority through supplementary estimates for any adjustments which involve expenditure increases in particular programs and activities. Each minister of this government will indicate

very clearly the adjustments we will be proposing to these initial estimates before the start of ministry-by-ministry consideration of these documents in committee.

I would remind all members that the previous government had undertaken to commit a further \$181 million over and above the \$28.8 billion reflected in these estimates. As indicated by the Premier, we have already begun examining as expeditiously as possible these additional authorizations provided subsequent to the May 2 election.

### DROWNING DEATHS

**Hon. Mr. Kerrio:** It is with profound regret that my first statement has to deal with the tragedy of the drownings at Balsam Chutes. I wish to offer my profound regrets at the tragic loss of three lives on Tuesday of this week at Balsam Chutes on the Muskoka River and to extend my personal condolences to the relatives and friends of the victims.

I would also like to clarify some confusion that has arisen as a result of this tragedy.

Members may have heard in the media that a log boom normally located just above Balsam Chutes and maintained by the Ministry of Natural Resources was not in place at the time of the accident and that this boom might have prevented the tragedy.

**2:10 p.m.**

While it is true that this boom was not in place at the time of the accident, I should clarify that such log booms are not intended to be safety devices for boaters. In this case, the boom prevents debris from going down the chutes and creating hazards for swimmers below the waterfall. In most other cases, these log booms, called trash guards by engineers, are designed to protect dam structures from debris.

Historically, this boom in particular has been carried away or damaged every year by debris, high water and ice. This year it was inspected on June 28 and, largely because of record high water levels in the area, it was not repaired immediately. It will be replaced as soon as high water conditions allow ministry staff to do this safely.

I should add that there are two signs along the river, about 100 yards above the chutes, which warn boaters of the danger and fast water ahead. I understand at least one of these signs is clearly legible from the river. The sound of the falls also is quite loud at this point.

There has also been some concern expressed about the fact that the Muskoka River was flowing out of the Mary Lake dam at more than

four times its normal rate at the time of this unfortunate tragedy. The river was about two feet higher than normal at the time of this accident, following more than five inches of heavy, localized rainfall over the weekend.

Members familiar with this system of dams along the Big East and Muskoka Rivers between Algonquin Park and Bracebridge know its main purpose is to keep lake levels as close to a preset level as possible for recreational uses. Under such abnormal rainfall conditions, it is not possible to ensure a constant level of water flow.

It is indeed unfortunate that this tragedy occurred. Today I have instructed my staff to make sure the signs in place at this location, and others along the river, can easily be seen by boaters to prevent another tragedy of this type. I can only urge that boaters must always be conscious of any hazards, especially in unfamiliar waters and at a time when water levels in some areas of Ontario are at record high levels.

### CANCER TREATMENT CENTRE

**Hon. Mr. Elston:** One of the strong commitments of my ministry is to create enhanced cancer treatment services and facilities for the people of northeastern Ontario. Therefore, I wish to inform the members of the House that the Ministry of Health has successfully recruited additional medical staff for the cancer treatment centre now being developed at Laurentian Hospital, Sudbury.

Invited by my ministry, medical oncologist Dr. Thomas Bozek recently visited the Sudbury area and the cancer treatment program. He has subsequently indicated to us his intention to return and he will join the program staff this coming October.

Earlier this year, in June, and within less than a year of taking up his position as head of the Sudbury program, Dr. Robert Corringham had planned to resign his position. Dr. Corringham had cited his extremely heavy case load and the absence of specialist support as the reasons for taking this decision.

Therefore, I am pleased to inform the House that, as a result of the hiring of Dr. Bozek, Dr. Corringham will remain in his position. I should also add that an aggressive recruitment campaign to secure a third oncologist for Sudbury is continuing. Dr. Corringham's decision and Dr. Bozek's impending arrival now mean that cancer patients in Sudbury and throughout the northeast will continue to receive a number of cancer specialist services within their local area.



## ONTARIO FINANCES

**Hon. Mr. Nixon:** I would like to provide the House with the results of my initial review of Ontario's fiscal and economic circumstances as I found them on assuming the office of Treasurer.

Four weeks ago my predecessor, the member for York Mills (Miss Stephenson), presented a review of Ontario's recent economic record. The data, together with more recent economic indicators, show that the economy of Ontario is performing well. The 1985 outlook prepared by my ministry indicates the expansion will continue.

Real growth in the provincial economy is expected to be 4.8 per cent; inflation is projected to be under four per cent for the year; and the economy is expected to create 180,000 jobs in 1985, up from 147,000 in 1984.

However, there are some cautions and concerns in this outlook.

The unemployment rate, which now stands at 7.7 per cent, is expected to average 8.1 per cent for the year.

**Mr. Brandt:** The lowest in the country.

**Hon. Mr. Nixon:** The member's interjection is correct.

Rising public debt at all levels of government continues to threaten confidence in our economy. Excluding Ontario Hydro, Ontario's debt increased from \$7.8 billion to \$24.6 billion in the past decade alone.

There remain severe problems in the agriculture sector which must be addressed.

The recent federal budget will have a negative effect on Ontario's economy and is going to make it more difficult to deal with unemployment. Tax increases and higher fuel prices for consumers will reduce consumer spending and dampen economic activity in Ontario. The major impact of these developments will be felt in 1986.

Leading economic indicators show that the United States' economy is slowing down, making it more difficult to sell our goods in the American market.

The resolution of a number of important trade issues may also have a significant impact on the Ontario economy and our capacity to provide the jobs our citizens need. For example, ensuring that we maintain an environment of fair trade and investment is important to the continued strength and growth of all industry, particularly the Ontario automotive industry.

We must prepare for another round of multilateral trade negotiations under the General Agreement on Tariffs and Trade, and we must be fully

prepared to face the challenges these will present to Ontario interests, not only in manufacturing but also in agriculture and other sectors of the economy.

As a response to emerging protectionist sentiment south of the border, it has been suggested we move quickly to enter free trade arrangements with the United States. I urge caution. We must be sure the price we pay for greater access to the American market is not too high in terms of our own jobs. The livelihood of our people is very much on the line.

The legislative committee on Ontario's economy announced by the Premier (Mr. Peterson) was established yesterday and will, I hope, provide advice to this House on the matter of trade with the United States without delay.

I will now turn to a brief review of the fiscal circumstances we were presented with by the former government.

The members will recall that the fourth quarter Ontario Finances released four weeks ago reported net cash requirements of \$1.7 billion for the fiscal year ending March 31, 1985, that is, for the last fiscal year. The figures I will now share with the House reflect the spending plans of the previous government as we found them and the Treasury staff's forecast of revenues under the existing tax system.

On this basis, the net cash requirements of the province would grow to \$2.2 billion. The previous government's throne speech included a large number of costly new programs and tax expenditures. I am advised these would have added at least a further \$400 million to the deficit, bringing the total to \$2.6 billion in this fiscal year. At the same time, the previous government committed itself to providing these programs without major tax increases.

It is evident that either revenue increases or spending restraints, or both, would have been required in their budget to keep the throne speech commitment to continued deficit reduction.

What does this mean for Ontario's credit rating? The members are all aware that there has been pressure on the credit rating for some time. Last fall the then Treasurer said, with respect to Standard and Poor's concern about the growing ratio of debt service costs to revenue, that it was his intention to stabilize this ratio. He also said his staff calculated that the 1985-86 deficit would have to be no more than \$1.2 billion to do this. My staff informs me that this is still the case. In other words, a \$1.2-billion deficit—net cash requirement—is the magic number. That is a long way from what we have been left with.

**2:20 p.m.**

The magnitude of the gap between \$2.2 billion, or more likely \$2.6 billion, and the \$1.2-billion benchmark dealt with by the then Treasurer last fall makes it clear that the triple-A rating must be in jeopardy. However, any objective observer would agree that, based on the benchmarks of strength, diversity and growth in our economy, our creditworthiness is undoubtedly sound.

In these circumstances, we will be reordering the priorities of government to reflect the views and aspirations of the people of this province as expressed in the last election. We are committed to fulfilling the program outlined by the Premier (Mr. Peterson) on July 2 and we will do so within a framework of fiscal responsibility and openness.

For example, we are committed to addressing the problems of unemployment, especially that of our youth.

We are committed to full funding for separate schools. Necessary funds have been set aside to begin the program this fall as announced by the Minister of Education (Mr. Conway). For the first school year, from September to August, the estimated cost of this initiative is \$80 million, \$34 million of which will be provided by the province in this fiscal year.

Ensuring the future viability of the agricultural sector is a priority for the government. The Minister of Agriculture and Food (Mr. Riddell) will soon announce a program that will assist farmers in reducing the cost of their long-term debt.

My colleague the Minister of Housing (Mr. Curling) will announce measures to address the pressing problem of the supply of affordable rental housing which will complement our recent changes to the rent review program.

My colleagues will be presenting the other elements of our government's program to the House this fall.

As I have already indicated, fiscal responsibility will be one of our highest priorities. Already we have begun to cut the cost of government by doing the following:

A review of \$181 million in expenditure commitments made since May 2 has been initiated. This amount is the excess over the total spending provided for in the estimates tabled today, which were addressed by my colleague the Chairman of Management Board of Cabinet (Ms. Caplan).

I am informed that the plans under way when this government assumed office provided for

increased staffing levels which would have led to an overall increase in the size of the public service. This situation will also be reviewed by my colleagues on the Management Board of Cabinet.

We have initiated a major review of crown assets with a view to disposing of some crown corporations, surplus lands and other holdings, including Suncor.

The three provincial policy secretariats are being eliminated.

The Royal Commission on the Northern Environment has finally been wound up. This government intends to take positive steps to stimulate northern development and environmental enhancement, not study these matters endlessly.

A freeze on planned advertising has been imposed.

The Board of Industrial Leadership and Development committee will not be reappointed and its administrative structure will be wound down as quickly as possible. In doing so, I want to assure community groups, municipalities, universities, other public agencies and Ontario industries that funds will be available to complete projects or initiatives now under way.

My colleague the Chairman of Management Board will be undertaking the process of identifying other expenditure-reduction opportunities. Our preliminary assessment is that as much as \$250 million can be saved from this year's spending plans.

As members of the House know, I have been and remain concerned about the size of Ontario Hydro's debt and borrowing. Hydro's debt, more than half of which has been borrowed abroad, is now \$21.9 billion. While Hydro's borrowing this year is lower than it was last year, I will ensure future borrowing occurs within responsible limits. One of the first things I did on assuming office was to meet with the chairman of Hydro to assess its finances. I intend to keep a close watch on its capital market activities.

I might mention at this point that I have instructed my officials to conduct a review of the province's financial policies and fiscal advisory arrangements over the summer.

Before concluding this statement, I would like to say a few words about budget preparations. Next week I begin consulting with interested organizations and community groups to obtain their advice in the preparation of the budget I intend to have ready to present to this House in October.



Furthermore, I believe the prebudget consultation process can be improved. I intend to present a paper with the budget containing proposals to open up the process to ensure greater involvement by members of this House and by Ontarians in general.

I would also like to say that anyone in Ontario is, of course, welcome to send me his or her views and comments in preparation for the budget.

In summary, Ontario's economy continues to show considerable strength, notwithstanding some troubling concerns. We must address these concerns, and protect and strengthen our capacity to overcome the problems that face us, in particular the challenge of unacceptably high levels of unemployment. We are determined to fulfil our commitments, but we will do so in a fiscally responsible manner so we can confidently plan for the future.

#### NOTICE OF DISSATISFACTION

**Mr. Speaker:** Yesterday the member for Scarborough-Ellesmere (Mr. Warner) advised that he was dissatisfied with the answer given by a minister to a question in the oral question period. I later learned that his complaint referred to the matter which had already been disposed of in the adjournment debate on Tuesday of this week. There is no provision in the standing orders for such a complaint and, therefore, I must rule the member out of order.

**Mr. Warner:** On a point of order, Mr. Speaker—

**Mr. Speaker:** Order. Does the honourable member wish to challenge my ruling?

**Mr. Warner:** No, Mr. Speaker, I would not challenge your ruling.

**Mr. Speaker:** Does the honourable member wish to make any comments on my ruling?

**Mr. Warner:** Yes, Mr. Speaker.

**Mr. Speaker:** I would say the honourable member cannot; he can only challenge.

**Mr. Warner:** On a point of privilege, Mr. Speaker—

**Mr. Speaker:** On the same matter?

**Mr. Warner:** On a point of privilege, I wish to make a request of the Speaker that he take it into his purview to review substantially rules 28(a) and 28(b).

**Mr. Speaker:** Order.

#### ORAL QUESTIONS

##### ONTARIO FINANCES

**Mr. F. S. Miller:** I have a question by surprise to the Treasurer, dash, Minister of Revenue.

**Hon. Mr. Nixon:** Dash, House leader.

**Mr. F. S. Miller:** Yes—dash, House leader. I would say with all those three jobs, "stroke" is a better appellation.

I am delighted with some parts of the so-called economic statement, because as I interpret it, the Treasurer has really told the world that what the Treasurer under our regime said was the state of affairs at the end of the fiscal year—that is \$1.7 billion cash requirements, down \$600 million from the year before—was true. He has gone on and implied that his interpretation of our spending for this year would require \$2.2 billion of cash requirements.

Now let him tell me this. What effect on cash requirements will the Treasurer's spending plans have?

**Hon. Mr. Nixon:** Our spending is going to be based on the statement made by the new Premier (Mr. Peterson) of Ontario on the program he put before this House, which is going to be implemented on a timetable that will be made clear and is already under way with the presentation of Bill 30, which we hope will be passed this afternoon or later today.

The remaining parts of this program have been announced in this short session or will be announced during the summer recess, and the completion of the program will be announced later in the year.

The ramifications of the costs, balanced with the revenues that must support them, will be a part of the budget that I have already told the House I will be presenting in October.

**Mr. F. S. Miller:** I think I have no answer, no program, no budget. How can we really tell? The Treasurer says on page 13 that he is going to save \$250 million in the year. Could he tell us which of the services of this government he is going to save that money on? Is he going to cut health care spending, educational spending, social services? What is he going to cut that on?

2:30 p.m.

**Hon. Mr. Nixon:** I have already provided a list of what we have done in the few short days we have been in office. We have wound up the secretariats that have been the sacred cows of the Tory stable for these many years; we are cleaning up the aftermath of the Board of Industrial Leadership and Development program, which is the aftermath of the political campaign of 1981; and the list remains before the members.

I can also assure the member that my colleague the new Chairman of Management Board (Ms. Caplan) is extremely sensitive, capable and

skilled, and with the co-operation of all her colleagues, we foresee no problem in paring — that is, saving — another quarter of a billion dollars from the spending estimates presented by my predecessor.

**Mr. Rae:** In one of the background papers to his much-heralded budget of May 1985, the Honourable Michael Wilson told the people of Canada that 30 per cent of corporations making profits do not pay any taxes here. Is it the Treasurer's intention, in reviewing the Ontario government's own spending plans, to deal directly with tax expenditures and loopholes in the province and the impact these are having on the deficit?

**Hon. Mr. Nixon:** I have already referred to the process of consultation and review that will take place over the next few weeks and months, but the leader of the third party may recall that, during my time as financial critic for the official opposition, I was called upon to criticize the tax initiatives taken by the former government on many occasions. I reviewed those very carefully during those years, and I hope the results of impressions formed in those days will not be lost, not only during the review period, but also during the budget I look forward to presenting to the House in October.

**Miss Stephenson:** In the light of the fact the provincial secretariats were in effect eliminated before this new government arrived, and that accounts for a saving of somewhere in the range of only \$5 million, I wonder if I could ask the Treasurer how he is going to finance the elimination of Ontario hospital insurance plan premiums and the introduction of dental care?

**Hon. Mr. Nixon:** The member will be aware that both those important programs were part of the Liberal platform in the recent election campaign. We expect to have the responsibilities of government for at least four and perhaps 40 years. I see some looks of incredulity on the other side, but they know in their hearts that the start in government presented by the new Premier must be the sort of thing for which people are looking, in which they will have confidence, and that they will maintain over the years. Naturally, the fulfilment of these matters awaits a time in the future of this government, and I confidently look forward to that.

#### JOB CREATION

**Mr. F. S. Miller:** I have another question of the Treasurer. As I recall the job—and it is one I held—the title is Treasurer and Minister of Economics, and the economics side in many

ways is the most important part because that is where the job creation measures must come.

Our government had a lot of measures to stimulate job creation in the small business sector. Where is this government taking any steps to help that sector? How is this government going to do it?

**Hon. Mr. Nixon:** In the statement I just delivered, I refer to a climate of confidence, competition and free trade, which our policies are designed to foster. The Leader of the Opposition will recall that, during the campaign, when his very generous commitment to small business came into question, the comparison finally settled in our favour was the commitment by our Premier (Mr. Peterson), then the Leader of the Opposition, that our assistance to small business would be payable in conjunction with the provision of jobs associated with those dollars, and that is our commitment.

**Miss Stephenson:** It was not the people of Ontario who made that judgement.

**Mr. F. S. Miller:** I do not recall its having been settled in the government's favour; 52 to 48 was not that.

**Hon. Mr. Nixon:** We are over here and you are over there.

**Miss Stephenson:** You are over there because of them.

**Hon. Mr. Nixon:** They vote too, you know.

**Mr. F. S. Miller:** The only side that is on his side is over there, where they are afraid to help any small business person in the province create a job through the tax system. Does this mean the government has given up faith in the small business sector and is not going to help it?

**Hon. Mr. Nixon:** I can assure the member that the opposite is the fact. The small business community has been in the past and will be in the future the engine for the provision of jobs, in small numbers per unit but together in large numbers—jobs which can improve to a tremendous degree the employment prospects for all people, including young people in this province.

**Mr. Foulds:** The Treasurer admits his government is committed to reducing unemployment. However, in this statement he also admits that the unemployment rate will be 8.1 per cent on a calendar-year basis. Does he not realize that is an unacceptable rate for a province as rich as Ontario? What specific steps is he going to take to reduce that unemployment rate? What targets will he set to reduce that unemployment rate? Does he not think it is important to introduce a



budget with specifics that will reduce the unemployment rate long before October?

**Hon. Mr. Nixon:** I want to respond to this important question since the statistics having to do with employment reflected the figure put by my predecessor in her statement at 7.7 per cent unemployment, and indicated that over the year the average would be 8.1.

I do not think those figures are particularly significant in that they differ a bit because the unemployment level during January, February and March of the calendar year was considerably higher than the 7.7 per cent at the time the former Treasurer made her statement. The average over the whole year will be a bit higher than 7.7. We hope that in the averaging of these figures, the 7.7 per cent can be maintained or improved.

The member will also recall that in the election campaign we recently enjoyed, one of the principal components of the platform of the Liberal Party had to do with an employment program stressing opportunities for young people. This has yet to be announced by my colleague the Minister of Skills Development (Mr. Sorbara), but the basis of the commitment had to do with providing a guarantee of a year's work for young people under the age of 24 who had a record of long-term unemployment.

This would be particularly associated with the responsibility of the young people who take advantage of the program to undertake educational upgrading as part of that year's employment, with the assistance of the correct ministry of government.

We hope, and I confidently expect, that program will be initiated and announced in the near future because it is needed, and I believe we as members of the Legislature must make a commitment to it.

**Miss Stephenson:** Last year a great deal of concern was expressed by the present Treasurer to the then Treasurer that there was not sufficient commitment to summer employment for young people in this province. Where is the Treasurer's commitment to summer employment for young people this year, since there is no economic statement, no budget and no measure of activity that is in any way visible in support of employment for young people during the summer months?

**Hon. Mr. Nixon:** As the former Treasurer pointed out, or at least it was implicit in her question, unfortunately, when we talk about the improved level of employment, that is not reflected to the same degree for young people.

I believe there are still 150,000 young people under the age of 24 looking for work in Ontario at present, a number that is agonizingly large for us and much worse for them. The program I described in general terms a moment ago, which was part of the Liberal election platform and which I trust will be announced in specific terms by my colleagues, is designed to meet that problem in part.

**2:40 p.m.**

There is no point in going over old programs and threshing old straw, but the member may recall that the programs introduced by the then Treasurer in 1984 were a mess of 10 acronymic programs, which not even he understood. One of his closest friends and supporters, the member for Brantford (Mr. Gillies), who continues to try to get me into trouble, described the package as "a youth job stew," to use his words. That was a good description, because it was so complex that nobody understood it, and when we look at the comparative figures, it did not work. We have a program that will be introduced, and it will work.

#### ONTARIO FINANCES

**Mr. Rae:** I am a little surprised the leader of the Tory party did not address this question, since it is at the very centre of the Treasurer's statement today. With respect to the taboo, sacred, almighty and holy question of the triple-A credit rating, the Treasurer has stated that in his judgement the rating is in jeopardy and that unless the province gets to \$1.2 billion as a deficit figure, it will be lost.

I want the Treasurer to state categorically, if he can, that in any negotiations or discussions with Standard and Poor's to meet the triple-A target set by that agency, the government will not sacrifice basic programs in the areas of social services, education, job creation and the need to deal with unemployment in this province.

**Hon. Mr. Nixon:** The leader of the New Democratic Party is aware of the phrase "within a framework of fiscal responsibility," which has been used from time to time on this side of the House. I can assure the member that implementation of the priorities set forth by the Premier (Mr. Peterson) a week ago will be entered into in that framework of fiscal priorities.

The obvious question that follows is, who judges that? I am the person who has been commissioned by the Premier, and in a sense by the Lieutenant Governor, to be the judge. That judgement will be arrived at by the government of Ontario, not by any other jurisdiction or by any emanation of the financial community. We

understand our responsibilities to carry out the business of the province in a fair and judicious manner, and our priorities will be established here.

**Mr. Rae:** I hope the Treasurer agrees we will all be the judges of fiscal responsibility in this Legislature—

**Hon. Mr. Nixon:** And the people.

**Mr. Rae:** And the people of the province will ultimately judge.

However, because it is important, I want to focus on the fact that it is time we got away from the hocus-pocus of the triple-A rating. Does the Treasurer accept the fact that the real cost to British Columbia, for example, of the loss of one grade from the august authorities on Wall Street is about one eighth of a percentage point on its long-term borrowing rate?

Can the Treasurer tell us the impact on Ontario's borrowing will be minimal, since so little of our borrowing is done on public markets? Can he give us an estimate of what the cost will be so we can get this monkey off our backs once and for all and deal with fiscal responsibility in this Legislature and not allow the budget of our province to be sacrificed to Wall Street in the way budgets have been sacrificed in the past?

**Hon. Mr. Nixon:** On the question of the impact of a possible reduction in rating, I want to deal with that in general terms and with some specific numbers.

We hope there will not be a derating, but that is not directly in our hands. There are two rating agencies—as a matter of fact, there is also a rather small but significant Canadian rating agency, which already rates Ontario as “triple A (low).” I do not know what the former Treasurer, the member for St. Andrew-St. Patrick (Mr. Grossman), did to them on one occasion, but there it is.

My first question when this matter was dealt with by my officials was similar to the one the leader of the third party has placed before the House. I was told that if there were a derating of one section, or whatever they call it, it could cost between \$3 million and \$5 million a year in the first year for Ontario and for Ontario Hydro, or it could be between \$6 million and \$10 million in the first year.

The former Treasurer is going to get up on this and talk about the cumulative effect, and there is no doubt that if there is a lower rating year by year, the additional interest costs will be cumulative as the debt is rolled over. I am not in a position to make an extrapolation of that. If we are faced with a reduction in the rating, we will

have to provide specific information immediately, depending on what that is.

I am still hoping that when the people in New York, Ottawa and Oshkosh look at the capabilities of the new government and realize they are judging the economy of this great jurisdiction, they will be able to maintain our credit rating. But that is something that is done externally and it is not going to influence our priorities directly in any inordinate way.

**Mr. Grossman:** I presume the Treasurer in his response next fall will confirm very clearly that we still today have the triple-A credit rating. I am sure he will be gracious enough to do that in responding to this.

In view of the Treasurer's own remarks that if any jurisdiction can maintain the triple-A credit rating, we should be able to do that, and having proved conclusively to the Premier that the \$43-million increase in hospital budgets was an across-the-board increase of one per cent to every hospital without any political whim between hospitals, can he explain to us why this government is continuing to hold out the threat of reducing that \$43-million grant to the hospitals across this province which badly need those dollars?

**Hon. Mr. Nixon:** There were two parts to the question. There is no doubt the triple-A rating applies in this jurisdiction at present. My statement today was a disclosure of the spending programs of the previous government.

**Miss Stephenson:** By your interpretation.

**Hon. Mr. Nixon:** That is right. The spending estimates were those approved by the former Management Board and are tabled today from His Honour, signed by his own hand. Those spending estimates were the spending program of the previous government.

The previous government said clearly it was not going to raise taxes in any significant way. We know the projections for growth, and those have been factored into the revenue projections. If those were established—if those people sitting over there, God forbid, were still in power—the deficit, or cash requirement, would be at least \$2.6 billion.

We need only think of the magic number put before this House repeatedly and in Hansard last year by the former Treasurer, the member for St. Andrew-St. Patrick, when he said it would be \$1.2 billion and beyond that the ratios would indicate severe and serious jeopardy.

While we could say that what the former Treasurer has indicated is a fact, the books—the fiscal and financial situation we have fully



disclosed today by tabling this information and making this statement—indicate the jeopardy I have already referred to.

What was the member's second question?

There is a good deal to be said about this. Members may recall that after the trips to New York by the then Treasurer and the then Premier and all the fooling around in the Legislature in trying to extract some specific information from those two worthies, the then Premier did not feel it was incumbent upon him to establish the transfer levels to municipalities, hospital boards and school boards at the usual time in November.

As a matter of fact, he went fishing or something and decided his successor could deal with that knotty matter as soon as he or she took office. That is a fact. Then the decision was made by the new Premier that the transfers would be very low, indeed dramatically low, although in a sense it was hidden by being involved with the capital transfers as well. Do members remember that?

**2:50 p.m.**

As soon as that happened, the hospitals immediately contacted the government and private members, saying arbitration had established their salary and wage increases by as much as five per cent. The outgoing government of that day maintained the transfers at less than three per cent. Where is this going to break? How are we possibly going to do anything with it? In the last two days of the former government, it announced a one per cent improvement.

**Miss Stephenson:** Mr. Speaker, on a point of privilege: I understand the projections that have been viewed by the Treasurer and members of his staff have not been approved entirely by Management Board. That is a very significant error on the part of the Treasurer and one he should correct.

**Mr. Speaker:** I do not really think that is a point of privilege. It is a point of view.

**Miss Stephenson:** It is a point of fact.

**Mr. Speaker:** It is still not a point of privilege. I am sure you will be able to give your point of view on the supplementary.

**Mr. Foulds:** The Treasurer has given us a statement today of faith, hope and charity. It contains a lot of faith, some hope and he expects us to deal with it in the spirit of charity.

I ask the Treasurer, as a duty, to state before us what his priorities are in establishing a budget, because it will be very delayed this year. The Treasurer says he is going to establish priorities, but he does not tell us what they are.

**Mr. Speaker:** Question?

**Mr. Foulds:** Is his priority the triple-A rating, which was that of the Tory party, or is it service to people in education, community and social services, and job creation?

**Hon. Mr. Nixon:** The priorities were established in a statement by the Premier at the beginning of this session; they are all there for members to read again, and I advise them to do so. We have begun to initiate those priorities. A week ago Thursday, the Minister of Education (Mr. Conway) introduced a bill with a full funding explanation. We are moving forward in these matters. The priorities were established by the leader of the government in his statement.

I recognize the fact that a budget in October falls almost in the middle of the normal cycle; therefore, any savings or revenue changes introduced and announced will not have much impact. I certainly hope to return to the normal budgetary cycle for next year and the decade following. That is what I intend to do.

I know the member wants a more direct answer about the triple-A rating. I say again, and I cannot say it more plainly, the priorities for our program are established by the Premier, and priorities for payment of those and the general initiatives involved will be established in this House by this government and by nobody and nowhere else.

**Mr. Grossman:** Mr. Speaker, on a point of privilege, and a very significant one: The Treasurer has made a statement that has direct implications with regard to this House's understanding of the statement he has delivered today. He has indicated the figures put forward reflect the previous government's estimates of its programs. With respect, that is not accurate. What the Treasurer ought to be saying is that the statements reflect his government's estimates of the previous government's programs. That is a very important point of privilege.

**Mr. Speaker:** Does the Treasurer wish to make a brief comment?

**Hon. Mr. Nixon:** I would just say to—  
Interjections.

**Mr. R. F. Johnston:** On a point of order, Mr. Speaker: Stop the clock if you are going to let this tomfoolery continue. He is abusing our privileges in question period.

Interjections.

**Mr. Speaker:** Thank you for your advice.

#### PUBLIC SERVANTS' RIGHTS

**Mr. Rae:** My question is to the Attorney General and concerns the question of the rights of

the tens of thousands of people who work for the province.

The Attorney General will know that the accord refers specifically to the need for us to clarify and expand the rights of people who work for the government of Ontario. Does he think it is reasonable that civil servants should be prevented from participating in political activity of any kind whatsoever, even to the point of stopping people who work for the Ministry of Natural Resources, or any other ministry, from putting signs up on their lawns?

Does the Attorney General intend to deal with the rights of public servants in the very near future and with the question of the gag of the oath of secrecy that is now required in the province of Ontario? I remind the Attorney General this is not required of public servants in Britain or in the United States.

**Hon. Mr. Scott:** I thank the member for his question. As he knows, the provisions of the Public Service Act and the regulations under it impose a series of very severe restrictions on public servants of high or low degree against participating in a wide range of political activities, all the way from running for office at the higher end to putting a sign on one's lawn at the lower end.

I am of the view, as is my party, and it is a matter about which we campaigned in the last election, that many of these restrictions are unduly severe and inappropriate in a fully democratic society. As soon as we are given a minute from the other tasks that have been imposed on us by the House, we propose to turn to a review of this legislation to see whether something cannot be done to make the rights of our public servants in the province more fully democratic and open.

**Mr. Rae:** The Attorney General will know, and he will know for a number of reasons in the light of his former activities before being elected to this place, that the government of Ontario is the respondent in a suit that has been filed by the Ontario Public Service Employees Union.

He will also know that Mr. Inniss is filing a grievance with respect to his inability as a public servant and as a member of the Ministry of the Environment even to share information with Environment Canada because he was told by his political superiors that he was not to release information with respect to pollution even to Environment Canada.

I hope the Attorney General realizes these cases are now pending and are not only costing

money but in some cases costing considerable personal hardship as well.

**Mr. Speaker:** Is that your question?

**Mr. Rae:** Does the Attorney General not think it is important for the government to clarify its position quickly so these matters can be resolved?

**3 p.m.**

**Hon. Mr. Scott:** With respect to the first case my friend referred to, a couple of weeks ago I used to think the applicants would probably win that case. I now suspect the Attorney General may win it.

In any event, it is before the court—indeed, I think before the Supreme Court of Canada—and the court will be asked to pass upon the impact of the charter in relation to provisions of our Public Service Act. It may be only a matter of months before that decision is at hand, and such a decision will be extremely helpful in assisting our review of the process.

As the member has said, I am well aware that it is a matter of very great concern to public servants. I have it very close to my own interests. We will attend to the matter as quickly as we can make an effective, thorough review.

**Mr. Rae:** As a final supplementary, the Attorney General will also know—and this again is a matter of which I know he is personally aware—that the government of Ontario, together with a number of other provinces, has joined with Alberta in an appeal before the Supreme Court of Canada to clarify the meaning of the words “freedom of association” in the Charter of Rights.

It is my understanding that the position of the government of Ontario restricts the meaning of those words to a very minimal point, which does not include the right to organize, the right to strike or even the right to substitute a right to arbitration for the right to strike.

Does the Attorney General not feel embarrassed and does the government not feel embarrassed to be joining with the government of Alberta in restricting the overall rights of workers in this province and in restricting the meaning of the words “freedom of association”?

**Hon. Mr. Scott:** I will have to get a lecture on supplementary questions, Mr. Speaker, because I do not think that has anything to do with the first question, but I leave that up to you.

The fact is that the previous Attorney General and his government filed a brief in the case to which my friend has referred. We had no opportunity and, indeed, could not have been



consulted with respect to it. I have no complaint about the previous Attorney General's conduct and decision-making in filing that brief. I have nothing more to say. The matter has been fully argued by the Supreme Court of Canada. I am not in the least embarrassed to have it decide the issues.

### LEARNING DISABLED

**Mr. Cousens:** I would like to ask the Minister of Education a question that has to do with Bill 82, a very important piece of legislation. It concerns a 17-year-old boy from my riding. I know the Minister of Education and all members of this Legislature do not want to treat children with learning disabilities as guinea pigs, but as first-class citizens.

Can the minister do anything to help this very special boy, who has been studying and doing well at Gow School in the United States? He is now faced with the implementation of Bill 82. His psychologist has said that Robert would be at risk without the continued support of the co-ordinated remedial programs he is currently receiving. The York Region Roman Catholic Separate School Board has said it obviously cannot offer at this time a comprehensive, full-day program similar to the one Robert is currently receiving at Gow School.

Can the minister do anything to allow this boy to maintain a high quality of education, or will he take a chance on his future and allow him to be placed in a substandard, second-class learning environment?

**Hon. Mr. Conway:** I take note of the honourable member's representation. I know, as do all members, that there have been difficult situations identified to many of us over the past number of years. The final plans for the implementation of Bill 82 are now being reviewed by the Ministry of Education. The member should refer his constituent to the regional office of the ministry in his constituency. If that is not satisfactory, I am certainly prepared to entertain a representation on his part, so I can review the file personally.

**Mr. Cousens:** I am pleased to receive that kind of support. I hope the minister can do more to help not only this young boy—and I will send along the details on the matter—

**Mr. Wildman:** Than the previous government did.

**Mr. Cousens:** The member had his chance and he seems to abuse it. Let us be concerned about the boys and girls who are going ahead in

this world and about whom there is still a chance to do something.

**Mr. Speaker:** Order. Will the member address his supplementary to the chair.

**Mr. Cousens:** It is very difficult with the rump.

I hope the Minister of Education can take this boy seriously and all the other young people who are faced with a program problem this fall. There may be some cases where the program will not be available within the local jurisdiction to solve their needs. They could miss a year. If there is anything the minister can do to help them or any others, will he be prepared to do so in those special circumstances?

**Hon. Mr. Conway:** I want to assure the member for York Centre I take his representation very seriously. I know from personal experience the considerable difficulties a number of these students have found themselves in as a result of the evolutionary process that has been a part of the previous government's approach to special education. The final plans for the implementation of the special education legislation, Bill 82, are now being reviewed by the ministry. It is hoped that all boards will be in a position to offer appropriate placements and programs in September 1985.

If that is not the case in York region, I would reiterate to the member that in the first instance he should refer the parents to the regional office. If that does not meet with a satisfactory response, I would be very prepared to involve myself personally to ensure that this young person receives the appropriate placement to which the member makes reference.

**Mr. Allen:** Any Tory member of this assembly ought to be embarrassed to stand up and ask a question like that.

Is the minister aware that it is not just one case in one riding that has been left in an impoverished and difficult situation? Many of these parents, who are looking for fair treatment under the special education act this fall, have been left by the previous administration. Is he not aware that the solution is not on a one-to-one basis? Many boards do not have the facilities to meet the special needs of those children who have special learning disabilities and who have had go to private institutions.

Will the minister give the House a commitment that he will provide for those children who are going to be in places where they do not get service? Will he provide a moratorium of one year?

**Hon. Mr. Conway:** Yes, I am aware that there have been more than a few cases of particular difficulty. I have had some personal experiences in my own constituency, as my friend the member for Hamilton West (Mr. Allen) points out. In my new responsibilities, I certainly intend to monitor very carefully the final implementation of Bill 82 and take whatever measures are necessary to ensure that a very high quality of special education is provided to all people in Ontario.

#### AGRICULTURAL LAND PRESERVATION

**Mr. Swart:** I have a question of the Minister of Agriculture and Food. It concerns a proposed urbanization of the prime food lands in Brampton on which, as he knows, the Ontario Municipal Board has not yet made a decision. This is considered by many people as a very real signpost for food land preservation.

The minister will recall that the former Minister of Agriculture and Food notified the OMB and others concerned that it was his government's policy that there was no objection to including 4,000 acres of prime food land within the urban boundaries. As a member, the minister opposed that, as we did in this party. Now he is in charge of food land preservation policy.

Has the minister notified the Ontario Municipal Board that it would now be contrary to his government's policy to approve the redesignation of those 4,000 acres from agriculture for development? If he has not, is he going to do so quickly?

**Hon. Mr. Riddell:** I want to thank the member for the question. He well knows that I too made a presentation before the hearing board expressing my concern about annexing prime agricultural land, which is best left for agricultural purposes.

**3:10 p.m.**

My answer is no, I have not written to the Ontario Municipal Board. I assure the member that it will be one thing I will immediately divert my attention to. I will see if there is anything that can be done now that the Ontario Municipal Board is in the process of making a decision. It may well be that there is nothing I can do at this time, but I will certainly look into it and do whatever I can.

**Mr. Swart:** I would like to say I am disappointed the minister did not give a flat commitment on this. I wonder whether he recalls that one statement in the brief he submitted to the

OMB said, "There is no justification that would allow development of these agricultural lands."

**Mr. Speaker:** What would you like to ask the minister?

**Mr. Swart:** Will the minister either give this House a commitment that he will notify the Ontario Municipal Board that it now is contrary to government policy for that land to be included, or will he assure this House that when the matter comes before cabinet by appeal he will recommend to cabinet that it be disallowed?

**Hon. Mr. Riddell:** I will certainly be having something to say when it comes before cabinet.

I am in favour of our food land guidelines and I am in favour of protecting agricultural lands; I want to make that point clear. I will be defending that policy before cabinet. What I have to check out is whether there is anything I can do at this time when the OMB is currently meeting to make a decision on the matter. I am not sure there is anything I can do at this time, but if there is, I can assure the honourable member I will do it.

#### FIRST-CONTRACT DISPUTES

**Hon. Mr. Wrye:** I would like to respond to the question posed by the member for Port Arthur (Mr. Foulds) in the House yesterday on the efforts of the ministry to resolve the question of the dispute in Thunder Bay and also to his supplementary question about retroactivity of first-contract arbitration legislation.

With respect to the dispute, I am sure the honourable member knows a mediator was appointed on April 2 of this year before the inception of the strike. The latest mediation meeting was late last month, on June 21, and the mediator remains available to the parties for any assistance they may request. We are continuing to monitor the situation.

The member also asked about the prospect of resolving the Kresge dispute by arbitration. I am sure he knows this, but I want to remind him of it. The Labour Relations Act contemplates arbitration only with the consent of both parties to the dispute. I have indicated to my officials that the mediator might explore with the parties whether an agreement can be reached to submit the matters in dispute to arbitration, but I note again the voluntary nature of that.

As well, the government has announced its intention, as I mentioned yesterday, to introduce first-contract legislation later in the session. The determination of the exact form of the legislation will be decided after close examination by the ministry. It is my intention that the legislation should be fair and proper. As the member knows,



one of the purposes of the legislation will be to resolve difficult first-collective-agreement negotiations without putting the parties through the hardship of a protracted work stoppage. At the same time, we recognize that the principle of free collective bargaining should be encouraged.

To conclude, in keeping with the purpose, I believe parties to a labour dispute in progress at the time the legislation is enacted should be afforded the opportunity to apply for first-contract arbitration, subject to meeting any conditions necessary to invoke the legislation.

**Mr. Foulds:** Is the minister saying that a current first-contract dispute such as the Kresge one I outlined to him will be subjected to the same kind of attrition, the same kind of union-busting tactics that Eaton's engaged in with its workers? Does he not think it is extremely important for the first-contract disputes that are currently under way, whether at Kresge in Thunder Bay or wherever, that this government's legislation, which will be brought in this session but some months hence, cover those current disputes? Will the minister not ensure that they have a fair chance at this first-contract legislation, which he has promised to bring in?

**Hon. Mr. Wrye:** I think the honourable member would agree with me that it is reasonable that those disputes in progress at the time of the enactment of the legislation would be those to which it would refer. I hope by suggesting that, perhaps in this dispute and in a number of others, the two parties might want to be in contact with the mediator and move to a resolution of the dispute, if the parties cannot reach a first agreement through the arbitration process right now, rather than wait for the legislation.

#### PARTY ON LEGISLATIVE LAWN

**Mr. Gordon:** I have a question for the Attorney General. Will the minister confirm that on the evening of May 29, on the grounds of the Legislature of Ontario, he held a party for well over 100 people at which liquor was served, and that he openly and unashamedly stated for all to hear that he had not obtained a liquor licence and then invited them to enjoy, in his words, "illicit champagne"?

**Hon. Mr. Scott:** On that day, the St. David Liberal Association, which is unaccustomed to celebrating anything, decided to hold a celebration. Arrangements were made with the Speaker's office to hold it on the lawn. The event was catered, the punch was served and a good time

was had by all. We departed from the premises in about two hours.

**Mr. Gordon:** I am astounded. I have to say I believe—

**Mr. Speaker:** Is your question, "Should I be astounded"?

**Mr. Gordon:** I believe the privileges and the reputation, not only of this member but of the members of this House, have been held in disrepute to the public.

I would like the Attorney General to explain how he, a lawyer trained in the law, not a neophyte lawyer; an MPP elected to make the laws in this province, and at the time this party was held, widely speculated to be the next Attorney General, did not comprehend the seriousness of what he was doing? Of all people, he should have known the seriousness of this offence.

The caterers, En Ville, certainly knew the seriousness of the offence because they have told us they were shocked when they arrived to find that the minister had not sought a permit. I say to the minister, how can he expect the people of this province—

**Mr. Speaker:** Order.

**Mr. Gordon:** Are you going to cover up? Are you covering up? Is that what you are going to do as Speaker? On a point of privilege—

**Mr. Speaker:** What is your point of privilege?

**Mr. Gordon:** My point of privilege is this, Mr. Speaker. How can we expect the people of this province to obey the liquor laws of Ontario when they know the chief law officer of the crown arrogantly, knowingly and deliberately flouted the law and set himself above the law?

**Mr. Speaker:** Order. I listened to the member very carefully. His last sentence was, "I would like to say," after he had asked a question.

**Mr. McClellan:** He also accused you of covering up, Mr. Speaker.

3:20 p.m.

**Mr. Speaker:** Order. I am quite concerned by what the member has said. I believe he accused the Speaker of covering up.

**Mr. Gordon:** I asked whether you would allow me to continue or whether you were going to cover up.

**Mr. Speaker:** I am very much alarmed by that language. I would say the supplementary has been completed and I will ask the Attorney General to respond.

**Hon. Mr. Scott:** The event in question was put on by the St. David Liberal Association. I

was the guest of honour. I made the arrangements by asking the Speaker's office for permission to have a short party between five and seven o'clock on the lawn, and that permission was granted. The food and other arrangements were made by others. I was not aware of what was arranged.

I take it very seriously if the member is prepared to accuse me of a criminal offence, which I think he did. He has the privilege of the chamber and he is entitled to say that but I am upset by it and I make that response.

**Mr. Gordon:** Mr. Speaker, I wish to withdraw the remark to you about covering up.

**Mr. Speaker:** I accept the honourable member's withdrawal.

#### ASSISTIVE DEVICES PROGRAM

**Mr. D. S. Cooke:** The Minister of Health is aware, I am sure, that the review that had been ongoing with regard to the assistive devices program by the Conservative Party when it was in power has long been completed. What is the intention of the Ministry of Health? Will it expand the assistive devices program for those over 18 or is the status quo going to prevail?

**Hon. Mr. Elston:** We have been actively reviewing the programs that are now in place in a number of segments of our ministry. Some initiatives have been taken in areas where we had commitments early on. The member for Port Arthur (Mr. Foulds) knows about some of them very well. Other initiatives will be dealt with as we are able to come to grips with the time constraints and that is one area we are actively looking at.

**Mr. D. S. Cooke:** I remind the minister that the expansion of the assistive devices program was endorsed by the member for Kitchener-Wilmot (Mr. Sweeney), a former critic for the Liberal Party, and by the former member for Hamilton Centre, Sheila Copps, when she was the critic. It is endorsed by the Canadian Paraplegic Association and the Ontario Advisory Council on the Physically Handicapped. All the work has been done and all the groups are on side.

The Conservatives had promised that they were finally going to do it. Why can the minister not get on with it since thousands of physically handicapped individuals in this province need the assistance of the assistive devices program? It is something that should be done immediately. When is the minister going to do it?

**Hon. Mr. Elston:** I am sure the member realizes it takes more than a snap of the fingers to

put programs in place. We have been actively working on some of the issues that deal specifically with implementing programs. That is one of the programs we are looking at and he ought to know it takes a little time to do it.

I have been working very hard on specific programs. I again mention the program for which the member for Port Arthur is very much personally engaged, and one we are working on speedily. The program of the member for Windsor-Riverside is another I am personally concerned with. I am looking at it hard, but I cannot do it overnight. I am working at it and I will do something about it soon. The member will have to wait for my schedule on it because there are also other time constraints in place at the Ministry of Health with respect to other issues.

**Mr. Pope:** The Minister of Health is aware that the previous government committed itself to expansion and funded the expanded assistive devices program as of July 1. Has the minister implemented those long-standing commitments? If not, why? If he is going to expand them, how will he do so?

**Hon. Mr. Elston:** The former Minister of Health, once removed, will realize it was not during his mandate those steps were taken. He might well explain why he was unable to act in those situations. It might be very interesting to ask him a little about it. We are reviewing all the programs that have been tucked away since May 2 and up to June 26. I have commented to the member for Windsor-Riverside that we are looking at these programs, and I am proceeding with as much dispatch as I can possibly muster under the circumstances.

**Mr. Pope:** I will expect an explanation tomorrow on that issue. He knows it was approved in February.

#### EXTRA BILLING

**Mr. Pope:** Today we have witnessed the biggest cop-out on political commitments since Neville Chamberlain. The Premier (Mr. Peterson) will know where that quote comes from. I want to question the Attorney General, since the Premier would not give us a straight answer last Friday. He went out and gave his opinion to the press. He would not answer the questions in the House.

On the issue of extra billing, I want to know why the government is doing a song and dance. The Attorney General knows the Quebec option allows extra billing to continue; it does not end it. He is doing a dance on this. I want to ask him whether the government has sought, or whether



he is aware of an opinion that the extra-billing provisions of the Canada Health Act may be unconstitutional or at variance with the charter provisions, or that a reasonable challenge to the provisions exists?

**Hon. Mr. Scott:** I do not know whether my ministry has sought such an opinion, but I will undertake to find out and let the member know.

**Mr. Pope:** I asked whether the Attorney General was aware of such an opinion, that extra-billing provisions could be contrary to the Constitution or the charter. He is aware of public reports that the constitutionality of the issue is in question, that it may be challenged in the courts.

On the separate school issue, even though the preponderance of public opinion was that it was constitutional—

**Mr. Speaker:** The supplementary has been asked.

**Mr. Pope:** I am asking why this government is treating the constitutionality of extra billing differently from that of separate school funding.

**Hon. Mr. Scott:** There is a difference. In the medical matter, the bill is a federal act. In the school matter, the bill is provincial. There are, therefore, constitutional imperatives dictated by that simple fact that relate to the division of powers.

The member asked if the ministry had obtained an opinion on the Health Act. I undertook to find out for him.

## PETITIONS

### PROVINCIAL PARKS

**Mr. Laughren:** I have over 500 petitions, many of which are from the riding of Cochrane South, believe it or not, which read as follows:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the practice of renting out provincial parks be stopped and, as outstanding leases expire, the Ministry of Natural Resources resume direct management of the parks."

### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Morin-Strom:** I have a petition from over 200 residents of Sault Ste. Marie on the issue of the extension of public funding to Roman Catholic separate secondary schools.

**Mr. Speaker:** There are quite a number of private conversations. It is difficult to hear.

3:30 p.m.

**Mr. Ferraro:** I have a petition signed by 79 of my constituents pertaining to the separate school funding and I would like to present it to the Legislature.

## NOTICE OF DISSATISFACTION

**Mr. Gordon:** I am not satisfied with the answer that I received. I want to serve notice that I want to question the Attorney General (Mr. Scott) further this evening.

**Mr. Speaker:** I am sure the member knows how to proceed with a written notice.

## MOTIONS

### SELECT COMMITTEE ON ENERGY

Hon. Mr. Nixon moved that the terms of reference for the select committee on energy appointed on Wednesday, July 10, 1985, by order of the House be:

To inquire into and report within 10 months on Ontario Hydro affairs;

And that the select committee have authority to sit during adjournments and the interval between sessions and have full power to employ such staff as it deems necessary and to hold meetings and hearings in such places as the committee may deem advisable, subject to budget approval from the Board of Internal Economy.

Motion agreed to.

## COMMITTEE SUBSTITUTIONS

Hon. Mr. Nixon moved that substitution be permitted on select committees during the 1985 summer adjournment provided that written notice of substitution is given to the chairman of the committee before the committee meets or in the first 30 minutes after the committee meeting is called to order.

Motion agreed to.

## COMMITTEE SITTINGS

Hon. Mr. Nixon moved that in addition to the committees authorized on July 10, 1985, to meet during the summer adjournment, the following committees be permitted to meet during the summer adjournment: the standing committee on members' services to consider matters included in its terms of reference, and the select committee on energy.

Motion agreed to.

Hon. Mr. Nixon moved that the select committee on economic affairs and the standing committee on the Ombudsman be authorized to

meet this evening, and the select committee on energy and the standing committee on general government be authorized to meet in the morning of Friday, July 12, 1985.

Motion agreed to.

### INTRODUCTION OF BILLS

#### BROCKVILLE ROWING CLUB INC. ACT

Mr. Runciman moved, seconded by Mr. Eves, first reading of Bill Pr46, An Act respecting the Brockville Rowing Club Inc.

Motion agreed to.

#### FAMEE FURLANE OF HAMILTON ACT

Mr. Jackson moved, seconded by Mr. Rowe, first reading of Bill Pr1, An Act to revive Famee Furlane of Hamilton.

Motion agreed to.

#### CITY OF CAMBRIDGE ACT

Mr. Barlow moved, seconded by Mr. Shepard, first reading of Bill Pr18, An Act respecting the City of Cambridge.

Motion agreed to.

#### CENTRAL PIPELINE CO. LTD. ACT

Mr. Cordiano moved, seconded by Mr. Ferraro, first reading of Bill Pr13, An Act to revive Central Pipeline Co. Ltd.

Motion agreed to.

#### AGRICULTURAL ANHYDROUS AMMONIA CO. LTD. ACT

Mr. Cordiano moved, seconded by Mr. Ferraro, first reading of Bill Pr14, An Act to revive Agricultural Anhydrous Ammonia Co. Ltd.

Motion agreed to.

### ORDERS OF THE DAY

#### EDUCATION AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 30, An Act to amend the Education Act.

**Ms. Gigantes:** Many of the comments I would have made yesterday or the day before concerning Bill 30 have already been expressed by other members of this Legislature and for that I am grateful. It is clear to me that in the time leading up to and during the past election, the experience of many members of this House was similar right

across this province. The people of Ontario were asking questions about the intent of the bill that has become Bill 30 and also about the education system of this province.

There are a couple of points I would like to make in addition to those that other members have made.

**3:40 p.m.**

During the campaign in the fall by-election in Ottawa Centre and later in the spring, it was quite clear to me through discussions at doorsteps, on the streets of Ottawa Centre, at public meetings and in media interviews, that many people in Ontario did not understand the school system. They are people who have a fair familiarity with the politics of the province and many other matters and would be thought to be people who would understand the nature of our education system. However, they simply did not recognize or understand that we have a separate school system of long standing in this province—in many cases, the misunderstanding was that basic—and that the separate school system, which has existed and worked in this province on behalf of hundreds of thousands of children over the decades, has received public funding, and that has flowed from the original understanding on which the terms of Confederation were based and which will remain in this province because of the wishes of a large segment of Ontario residents.

The questions raised about education during this election, and during the by-election in Ottawa Centre in December, were serious ones. In many minds, they had their source in a concern about our education system as a whole. It seems to me that concern flows directly from a sense on the part of many residents of this province that our education system in 1985 is inadequate. In turn, that flows from the fact we have a system essentially developed and structured during the 1950s and 1960s, which has not adapted or flourished in the ways it should to meet the educational needs of the 1980s and soon the 1990s.

The kinds of difficulties the education system has been going through were predicted. They are associated in large measure with the question of declining enrolment, which the former Conservative government undertook to study through a commission headed by Mr. Jackson back in the 1970s. That commission reported to the then Conservative government in a very serious fashion—I believe the year was 1978—that declining enrolment as a phenomenon was going to undermine the education system of this province



unless the problems it generated were addressed seriously in education planning and funding.

When I was first elected as the representative for Carleton East in 1975, the level of provincial funding in Ontario was 60 per cent. As we know, it is now 48 per cent. What has happened in the meantime is what was predicted by the Jackson commission. We have seen closures of schools, undermining of programs and the total failure of the education system to advance instead of retreat in the past decade. When I say "advance," I do not mean to grow, to become more technical or a number of sophisticated things; I am talking about very basic things, such as those addressed by the Commission on Declining School Enrolment.

In 1978, when the then minister, Mr. Wells, produced figures on classroom size for the edification of this Legislature, we learned—and I must say I learned to my shock—that more than 25 per cent of the primary grade classes, grades 1, 2 and 3, had in excess of 30 children. That is the same kind of standard we used to have when I started primary school. In other words, we have not gone any further in enriching the educational programs we offer to children in a time when an enriched educational program becomes more and more desperately required.

If we do not begin addressing that problem in the primary grades, we end up with the disasters we have experienced in our high schools where, in spite of all the sophisticated programs and multiplicity of guidelines we have had from the Ministry of Education, we have a drop-out rate that is scandalous. It used to be a fact in your day and mine, Mr. Speaker, that when kids dropped out of school at grade 8, they could get a job and could consider themselves to be relatively well educated when compared with the rest of their neighbours and colleagues. That is no longer the case, but our kids are still dropping out, and with what opportunity?

Our education system simply is not keeping up with the times and is not meeting the needs of our young people. That fact generated an enormous amount of the concern we felt in the discussions surrounding what has now become Bill 30. The fact that our education system has not been keeping up with the needs of this society creates the enormous reaction at the thought of trying a new kind of enrichment program in the separate school system.

People concerned about the education system in this province have real concerns about not focusing on that question as a primary question. That is where I put the blame for the existing

situation, not only with regard to the uproar we have all felt and will continue to feel surrounding the issues embodied in Bill 30 but also with regard to the very strong kind of commitment we have seen not just from teachers or from people who have what one might say is a self-interest in the non-Catholic school system but also from parents and families across this province.

We simply have to address the issues those people are raising with us. Those issues are generated by an education system that is not meeting the needs of this province and its young people. I hope the new government will direct itself to meeting those issues and to providing the funding we need in both the Catholic system and the non-Catholic system, the total public education system of this province. If that is done, many of the very serious concerns that have been brought to members' attention by the residents of this province will be truly answered, because that is what many, probably most of them, are based on.

**3:50 p.m.**

I want to mention two other things. One is the kind of fascinating experiment we are going through with regard to discussion of this bill as an indication of the understanding shown by ourselves, the public and parliaments across this country concerning the Charter of Rights and the work of parliaments.

Only recently, for the first time under our Constitution, has it been possible for people to say of a major piece of legislation, "This should not proceed until the courts decide." In good faith, many people across this province have been led to that position, but we should consider very carefully what it means. If we took that approach literally on all subjects of legislation where serious questions of debate arose, we would be suggesting the courts decide which issues should be dealt with by the legislatures of this country. That really would be putting the cart before the horse.

We in this House, many organized groups outside this House, perhaps the lawyers of Ontario and certainly a large body of the public of Ontario are going to have to come to a new understanding of the relationship between legislative bodies such as this one, the initiatives that must and should be undertaken by such legislative bodies and the role of the courts in carrying out their duties under the Charter of Rights and Freedoms. Whatever the courts decide, it seems to me perfectly reasonable that we should initiate and let the courts give opinions. It seems to me

perfectly unreasonable that we should say we can initiate nothing until a court gives an opinion.

Further, the member for Carleton-Grenville (Mr. Sterling) raised a question yesterday in which he tried to suggest that, in relationship to the Charter of Rights, the constitutional question ought to be whether we are obliged to extend funding within the Roman Catholic separate school system of Ontario. I think that is to put the question the wrong way too. The question the Attorney General (Mr. Scott) has suggested as a reference to the Ontario Court of Appeal, I think is the correct one. When the member for Carleton-Grenville talks about the Constitution being a limit on initiatives, he is sadly off base and quite misunderstands the role of a legislative body vis-à-vis the role of the courts.

I hope this Legislature and the public of Ontario will be enlightened on this matter as we proceed through the discussions in this House and as the reference to the Court of Appeal goes on and a determination is made. I am hopeful too that the Court of Appeal will address the question that is being put before us in a positive sense and will be willing to respond to a legislative question of how legislation may be better framed, if it needs better framing, and to give this Legislature guidance, if it needs guidance, but to underscore the right of this legislative body, and others across Canada, to initiate policy and changes in the fundamental relationships in our society.

There is one other subject I want to raise most briefly. During my earlier incarnation as the member for Carleton East in this Legislature, I had the opportunity to speak for my party as the Education critic. During that approximately two-year period, I did my best to inform myself as well as I could in an area about which I was not expert, and to think about the questions raised, for example, around the issues of independence, alternatives and religious schooling. As I looked at children in school and talked to teachers and families, I became more and more impressed with the fact that our education system in the 1980s still does not recognize the existence of television. That fact has profound implications for our views of the role of religious education in our education system.

Television is probably a more forceful instrument of the education of our children now than schools are. Most people who are parents would probably acknowledge that. The benefits of television have been very great for our young people, as they have for all of us. Television also has its drawbacks, of which we are all aware. Perhaps one of the strongest drawbacks, in the

Canadian context in particular, is that what children see on television from the very earliest age—and each child is exposed to many hours on the average—is a very homogenized, commercialized view of life that has religious implications in itself.

In fact, if one looks to television for religious education, in many instances one gets very commercialized religious education. One gets 100 Huntley Street; I hope I will not be sued. This is perfectly understandable given the advent of television and its power, given its homogenizing effect in educating our children and given the way it eliminates the sense we had as children, of differences between groups and communities. It is the kind of thing we have all noted for some time exists among airports. Every airport looks like every other airport; it does not matter which country it is in.

On television, everything is homogenized and commercialized. It does not matter whether one is a child in a Roman Catholic family or in a Mennonite family. As long as there is a TV in the home, the child gets a very bland, one-level view of what society is like and what religion is like. When that is true and it is combined with the fact that many families feel the education system is not providing for the 1985 needs of children, as it did not provide for the 1980 needs of children, we understand why families now will perhaps choose more than ever to try to provide, through a school system, a view of life that offers an alternative view; for example, a view of life in the Catholic school system that provides education in a religious context.

The same is true of many of our independent or alternative schools. In some cases, it is an educational point of view that families are looking for when they pay enormous fees to put their children in independent or alternative schools. In other cases, they are looking for education provided in a religious context. In either case, what they are looking for seems to me to be an antidote to the blandness, perhaps the secularism and the commercialism and homogenization of world view they know is sweeping around their children on television.

The separate school system in this province has provided an important alternative within our public education system. It should be funded to provide that alternative through all the grades of our school system, and it should be provided with funding equal to the non-Catholic school system in this province.

I support the principle of Bill 30 and I am pleased to see it before us. I hope the discussions



of the next few months will bring us to the point in this province where the terrors that have been proposed around Bill 30 will fade. I hope there will be new life and vigour, by a new government committed to taking education seriously and to reforming the education system of this province, to help assure all the people concerned that the public education system in its totality is one that provides what our children need.

**4 p.m.**

**Mr. Mancini:** I wish to make a contribution to the debate on Bill 30, legislation to extend funding to the Roman Catholic separate school boards across Ontario, legislation to ensure that the separate school board system in this province will have equal access to the funding needs of that system, as the public school boards already have.

The members of this assembly may know that during the recent election campaign, completed on May 2, in certain parts of Ontario the issue of extension of funding was much debated across individual constituencies. In some constituencies, such as the one I represent, it was probably the single most debated issue in the election campaign. I am not so sure whether it was the single most important issue or whether the general population perceived it to be the single most important issue, but it certainly was the single most debated issue.

There was never an hour, let alone a day, when this matter was not constantly brought up. Organized groups, such as the Ontario Secondary School Teachers' Federation, Friends of Public Education and individuals of the Catholic persuasion or of other religions, constantly referred to this issue during the election campaign.

To put the issue in some perspective, we have to realize that in the electoral district of Essex South the independent candidate ran in third place, ahead of the New Democratic Party candidate. The independent candidate received approximately 20 per cent of the votes and finished only 200 votes behind the Progressive Conservative candidate. The organization, funds and assistance received by the independent candidate, who ran on a single issue, were as great as, if not greater than, those of any of the other candidates in that riding, and I include myself.

Some members of the past government did have the opportunity to campaign on behalf of their political candidates during the past election; so some of them realize exactly what I am talking about. I believe the issue became dominant for

two or three reasons. The main reason was fear. A second reason was misunderstanding and, I say with great regret, there was some bigotry. I believe we can address the matter of fear and the matter of confusion, but I do not believe we can address the third issue I have raised.

A great many people were concerned that their single secondary schools in a community were going to be lost to another school system in which they would have no part, no say and no access. If one takes a moment to look at the geography of the Essex South riding, one can see very quickly that there are secondary high schools in Amherstburg, Harrow, Kingsville and Leamington. All these communities serve the surrounding rural municipalities and are anywhere from 10 to 15 kilometres apart.

If a person and his or her family lived in Harrow, for example, and had children in one of the secondary public high schools, I can see why they would be very annoyed at having access to that school taken away and their children forced to go from their own community to one with which they were not familiar and in which they did not reside.

I understand that. I accept these genuine concerns and I believe Bill 30 addresses them. I understand the agony a family would feel if it was forced to send children to a school in which part of the makeup of the school was religious education. I can understand the concern if the family were of a different belief, thinking their children would be forced to submit to the teachings of some other religion. I believe Bill 30 addresses that issue.

It is my understanding that Bill 30 would exclude students from any religious participation if they wished. As Bill 30 indicates, they would be excluded on the basis of distance. Anyone who had to stay in Amherstburg, Harrow, Leamington or Kingsville because the distance would be impractical would automatically be excluded after an application was made.

I believe these two issues, access and religion, were part of the major confusion I talked about earlier. No one in the constituency fully understood, and may not today, that access will be guaranteed where there is space. If anyone knows of a case, I would like it pointed out to me, because I have yet to find a situation where a person has been denied a seat in a school because of access. If access is dealt with in a proper manner, it will not be a problem.

**4:10 p.m.**

As I look over my own constituency, I can see that while sorting out the situation may be

difficult, the conclusion will meet the requirements that are being demanded by the general population, number one being access and number two being exclusion from religious courses.

Let me put it this way. In Essex county there are no separate secondary schools except for St. Anne in Windsor. There are no buildings to be used by the separate school board. While I may say their public proposal of last year was not thought out, that does not solve the problem we face. Thank goodness, they withdrew their public proposal. The fact still remains that there are no separate secondary school buildings to be used.

The parents who are seeking this type of education will ultimately have to turn to Windsor to get it for their children. I already know of a campaign being carried on by Essex county parents which would, if it were accepted, allow buses from Windsor to pick up students in Essex county so they could get their separate school education in Windsor.

If that were to be the case, one does not have to guess that, over a period of time, some of the facilities now being used in Essex would not be used to the maximum. Over a period of years, one or some of these buildings may end up at half-capacity. Does anyone here believe the public school board in Essex wants to maintain a building being used at half-capacity when it knows the building, the school, can be filled and used by the community?

The parents in Essex county who are seeking separate school education for their children will accept the scenario I have just described, but they absolutely prefer education in their own community. Because of geography, historical circumstances and the makeup of Essex, that is not available today. Those are the facts.

We will get to the point where a facility may become available someplace in Essex. It may be in Essex North riding, and perhaps the new member for Essex North (Mr. Hayes) will want to enlarge on some of the things I have said today. It may end up that these buildings become available in his riding. We are all one county. Sooner or later the public school board is going to say it cannot operate a school which was built for 1,000 students when there are only 350 or 400 students. It will ask if it can make an arrangement with the separate school board for it to take over the responsibility and operation of the school.

When that happens, the board will have to decide how it will treat the students who will be attending that school who are not of the Catholic religion. Certainly it cannot deny them access,

because the space is already there. It cannot ask the students to take the Catholic religion as part of their studies, because Bill 30 says one does not have to submit to this as long as one meets the requirements.

These requirements may be expanded by this very able committee appointed to review this matter. Those students will not be required to take religious studies, because Bill 30 states distance is one of the criteria which will exempt a student from this obligation which will be placed on all other students of Catholic persuasion. That takes care of one of the main issues.

The other issue is more philosophical. I hear it brought up on many occasions. It is that all our separate schools must maintain their Catholic character. My answer is that in some areas of Ontario that may be very right and practical. In other areas of Ontario, because of the geographic makeup of the area, because of the way the system has been established and used, and for historical reasons, the Catholic character of a school may not be noticeable.

What are we to do about that? Are we to say that people living in a community should be bused out of the community because we have to adhere to a philosophy of the Catholic character of a certain school? I hope not. I hope we will stick to Bill 30 and, because of distance and the other reasons listed, say: "You can stay in that school. You will get as good an education as Ontario can buy for you. You will be exempt from the religion. You will have access." On the other hand, the students who are of Catholic persuasion can maintain their religious courses and do what they do in the other separate schools. In my view, this sounds like a very reasonable view of how things may eventually end up in Essex county.

I want to forewarn the members serving on the committee that in their hearings across Ontario they are probably going to receive most criticism in Windsor and Essex county. I hope I have explained why they will receive that criticism. I hope I have helped the members of the committee prepare themselves before they have the opportunity to visit Essex county. I also hope they have an opportunity to take advantage of all the nice things we have in Essex county.

**Mr. Jackson:** Tomatoes are in season.

**Mr. Mancini:** Probably tomatoes will be out of season, but they may have tomatoes thrown at them.

In their explanations to the general public, the members of the committee will have to be clear and precise. The views they hold will have to be



expressed honestly, clearly and in a precise manner. The last thing we need in Essex county is more confusion. The last thing we need is a committee of the Legislature trying to pretend it is against something it will later on vote for.

They should take the questions and answer them. Some of them will be uncomfortable. I went through six weeks of it and I found some days were highly uncomfortable. However, I think the fact that during the election campaign I tried to answer the questions straight on and did not try to waffle on my position was one reason, as we got into the campaign, that some of the people understood the issues more clearly.

**4:20 p.m.**

There is the issue of outright opposition to the Catholic system. The issue of outright denial of the fact that this is going to happen will be something I do not believe the members of the committee will be able to deal with. When they are approached, as I was during the past campaign and as I am even up to this point; when they receive correspondence, as I do on a daily basis, it generally says: "This is against the Constitution. It is against the Charter of Rights. You are segregating our children. You have no right to do this."

All along, nothing is mentioned about the historical nature of our education system in Ontario; nothing is mentioned about the 120-year tradition of separate schools in Ontario. I wonder if all the people are aware that we do have two systems, one of which is funded up to grade 10 and needs just two more years of funding to be fully funded.

We are not fundamentally changing the education system of this province; we are not segregating people from each other; we are not going to force religion on people for any reason whatsoever, and we are not going to deny people access to their schools. These things have to be enunciated clearly as members of the committee travel the province.

I realize all Ontario is not the same. Essex county may not fit exactly into this piece of legislation, or maybe it will. Other parts of Ontario may not fit exactly into this piece of legislation, but the members of the committee have been charged with the solemn responsibility of holding hearings, listening to the public of Ontario and coming back with their able recommendations.

I believe from what I have seen in the chamber and from what I have heard prior to the election, during the election and after the election, that the three political parties stand by the announcement

made by former Premier Davis. I do not want to get into a wrangle about whether the implementation was done properly, whether not enough was done between last year and this year and all that kind of stuff. Those days are past now.

The government of the day has moved on the matters of concern. The issue will be going to the Court of Appeal to test its constitutionality. We have taken an interim step to make funds available for 7,000 students, school boards and teachers, all the people who worked together in good faith. We have taken a step to ensure we do not have 7,000 students who do not know where they are going to be. We have ensured that the teachers and other people will be hired. We have ensured, as we promised during the election campaign—I am sure many members from all sides of the House promised—a full and open debate without a deadline. We have kept our promises.

I hope as we proceed in the months ahead—and it may take months; we do not know exactly how many briefs or how many individuals are going to want to be heard—we can proceed with a great deal of sensitivity and openness of mind and a continued determination to keep the promise that was made to the separate school system.

**Mr. Sheppard:** Mr. Speaker, first let me take this opportunity to congratulate you on your appointment. The job of Speaker is not easy at the best of times, but to be responsible for the good behaviour of a minority Legislature is an even more difficult task. I have been impressed with the way you have carried out your job. You are being both firm and fair in seeing that the business of the House is conducted with efficiency and decorum. Let me assure you that I and my colleagues on this side will work with you to ensure this House works, and works well, for the benefit of all Ontario.

I am pleased to have the chance to speak in this debate. Few issues are of greater concern to parents and all who interest themselves in the affairs of the community. Education is a key responsibility of this government and Legislature.

I know all of us are aware of the historic nature of this debate, its significance in the evaluation of education in Ontario and respect for the views and beliefs of minorities. I know all of us are aware of the significance of this legislation in its relationship to the British North America Act and the new Constitution of Canada.

All members are aware of these things and know that members of all parties in the previous Legislature voted to accept the proposal that

provincial funding to separate schools be extended to grade 13.

Over the past few days, I have been meeting with the people of my riding, Northumberland. I have talked to a good cross-section of people. I have met with parents, teachers and ministers of varying denominations, such as the United Church, Presbyterian, Anglican and several priests of the Roman Catholic faith.

During these meetings, I have talked about separate school funding. I have explained what extended funding means and what Ontario has done in the past. While we in this House have a fair idea of what it is all about, I must say the people of Northumberland are less certain. They are concerned, worried and do not know what impact extended funding to separate schools will have on the fine public school system. In addition, they are concerned about the cost.

Already there has been a degree of uncertainty about the cost of this reform. They want a full and honest accounting. At the back of their minds is a certain distrust of what we are about. I came away from those discussions concerned. I have been speaking to well-informed, well-educated community leaders, yet these people, those who help shape opinion in the community, were mystified and a bit distrustful of what the government and this Legislature are about.

We are elected both to lead and to serve. We do not pass laws to please ourselves or make policies to serve our own individual whims. We pass laws and make policy to serve the people. We cannot operate in a vacuum in this Legislature. We must fully explain what we are doing and what we are about because we are here to carry out the people's business, not just to get our names in the newspapers and history books.

The people of Northumberland want a full, honest, open and aboveboard debate on the extension of funding to separate schools. They want to know what we are doing and why. They want to see how this debate is going to proceed, every step of the way. The people deserve to know what extended funding will mean. I believe it is our responsibility to open the doors and let light shine in on the process, debate, disagreements and compromises that will be part of making the bill law.

I ask the Minister of Education (Mr. Conway) to ensure that the process that will begin extended funding to separate schools will be conducted 100 per cent in a public forum. This is what the people want, I believe it is what they deserve and I hope I will have one or two delegations from the great riding of Northumberland.

4:30 p.m.

**Mr. Breaugh:** I want to participate in this debate because it truly is a historic occasion. It is necessary for as many members as possible to be participants in the process of formally debating this bill. I also have wanted to get on the record, for some time, my own personal response to a number of questions that have been raised about the whole issue of the extension of funding to Catholic schools.

First, I am amused somewhat that there are some people who are paying for advertisements on radio and in newspapers and saying at public forums that there is no debate on this, that a debate has not occurred on the extension of funding. Some people seem to be making quite a lengthy case that no debate has happened.

I would like to know where these people have been, because for 15 years, in my riding on the streets of Oshawa, in the Canadian Legion, the Canadian Corps, the high schools, Catholic schools and public schools, the council chambers, at conventions of my party and other political parties, and here at Queen's Park, the debate about the extension of funding for Catholic schools has gone on. Maybe these people were not aware that this discussion was under way; maybe they do not consider that to be a full formal debate.

As a member of this Legislature, I have been very busy for 15 years debating whether this was a good or a bad idea. I have to report to the House that in my community, as in many others, that debate has gone on. Certainly it went on during the last election campaign. If people wanted to say that there was no formal debate among the three leaders, this is true; however, one cannot say that there was no debate, because I was a participant in that debate on the doorsteps in the city of Oshawa. In my riding, someone raised this issue almost every day. Every time we went to a forum where candidates from all the political parties were present, the question was asked and the debate continued. I believe the debate has gone on for more than a decade. We have had enough debate and the time has now come for decisions to be reached.

I regret somewhat the process whereby all of this has come about. I regret that we never will see the legislation which would have been proposed by William Grenville Davis regarding this extension of funding. I regret that in more than a year his government could not, would not and did not provide the House with its legislative approach to the extension of funding. It would have been preferable certainly to use that



process, to have the legislation before us for a longer period, to have a somewhat longer legislative debate about it, but for the life of me I cannot understand people who say there has been no debate.

I can understand people who question the process. One morning the Premier of Ontario stood up, virtually unannounced, and said, "This is what we are going to do." Then the process becomes somewhat murkier. It would have been familiar if a Minister of Education, for example, that same afternoon had stood in his or her place and said, "Here is the bill." Then we would have gone off for our formal debating process and our formal process of legislative hearings; submissions would have been made and all of that would have been the normal legislative process.

This bill has come about by a different process. It came about because the Premier of Ontario said he finally wanted to extend funding. We do not really know on exactly what basis the Premier of Ontario came to that decision. One can read Claire Hoy's book and get one version of how that happened, or one can listen to gossip in the halls here and get several other versions, but we do not know exactly whether that went through the normal process of cabinet, or whether committees of various ministries met. However, we do know that the intention of a government was spelled out by means of a ministerial statement. We know now that there is a piece of legislation in front of us.

I want to give the new government some credit, because in about 15 days it did what the previous government could not do in a period of 15 years; it put the question in legislative form. I believe, as do many others, that this current legislative form is not perfect, that there are problems that will have to be resolved; but I do give them that much recognition. We finally have a bill; it is in front of the Legislature, and the formal debate is going on. We also know that public hearings, of the sort that we usually do around here, are being scheduled over the course of the summer. So at least we are back again on familiar territory.

A number of people who called me want to know about the legislative process. It is a little difficult to explain to people that, in my view, this was going to happen in one of two ways. Either legislation would be brought before us and we would debate it and formulate the rules and conditions under which funding would be extended, or someone would challenge it before a court system. Off it would go through various court levels and, ultimately, some court would

decide how this extension would be brought forward.

In my personal opinion, one of those two ways was inevitable. Given what has happened in Manitoba with French language rights, I think I have greater faith in the legislative process here than I have in the judicial process to handle matters of this kind. I think a court of law would have looked at the fine points of law and addressed itself only to those, but a Legislature has a little more flexibility than that.

For one thing, it is pretty difficult for ordinary citizens to appear before the Supreme Court. It is not difficult at all for them to appear before a legislative committee. I think this is the preferred route. I think it gives us, members of the Legislature, the opportunity to say our piece, to participate in the committee process. It gives the public at large the opportunity, without having to hire lawyers and go off to a Supreme Court somewhere, to voice its opinions as well.

There is no shortage of opinion on the matter. The province may well be polarized. There may well be interest groups which have a particular axe they want to grind quite legitimately. But there is no question that Ontario is ready to speak to this matter. It has been for some time.

Another thing does bother me a bit. People are saying that this is being done by order in council. It is important for us to point out to them there is a distinction to be made here. The actual conditions under which the extending will happen is being done by legislation. The granting of money is being done by regulation by order in council.

There are some who may proclaim, as I have done in this chamber on occasion, that that is not exactly the way they would like to do it. I have argued for some time that the setting of regulations, issuing grants by order in council for municipal councils, school boards and several other agencies, is not my preferred means of regulating how much money they get. However, I do want to point out that it has been done by order in council since I have been a member and for a long time before that. The grants to school boards have traditionally been set by means of a government regulation issued by an order in council. Since I have been a member, quite frankly, I have not heard a school board in Ontario complain about that type of process.

I have heard them complain a lot about the amount, but not about the process. It is the accepted way for grants to be set for school boards. It has been done that way for a long time, and that is the norm. So there is nothing unusual

being done in the way of providing the funding. That is the normal procedure.

Finally, I want to spend a couple of minutes talking about what seems to be a major concern of some of my constituents: the effect of the funding. I want very much to put that into a proper perspective.

What we are talking about is extending funding to an existing school system for two more years. That school system has been in place for more than a century, and the province has not disrupted into street fights, it has not provided a great divisive system of education. There have been two publicly funded school systems in Ontario since Confederation; in fact, prior to Confederation. I do not believe for a minute that there will be great disorder around here. I know for a fact that there are going to be some pretty healthy arguments, and there is nothing wrong with that.

I came from a small town in eastern Ontario where being an Irish Catholic was not exactly the greatest thing in the world. There were very strong United Empire Loyalist folks there. They were very fine people. We did not understand one another a whole lot.

**4:40 p.m.**

About this time of the year, near July 12, big things happened in Napanee. Even for us Irish Catholics, a parade was an occasion, and we all turned out. We thought it was great. The farmers cleaned up the horses, everybody got dressed up, and they brought out flags and banners. In the morning all the guys with the fifes and the drum got in the back of a pickup truck and rode around town.

It was great stuff. All the little Irish Catholic kids thought it was a great occasion. We would go up to the fairgrounds and sneak in under the fence and listen to some really good speakers denounce the papists. I thought: "This is great. Who are these papists?" I went home and asked my dad and he explained, "We are the papists."

I was upset about it because these were my friends, the parents of all the kids I played hockey and ball with, and they were denouncing me. I could not understand why they would do that. I thought: "The next time I go to the rink or the ball park I will be in big trouble. They will not let me play." The truth is that when you went to the ball park if you could play ball, papist or not, you were on the team and they seemed to like you just about as much as they did the day before.

Across the road from my house was an old Northern Irishman named Bidwell Kimmitt. He was a favourite of mine because he had one of the

first television sets in Napanee. In his lifetime he never did learn how to run a television set; so whenever he wanted to change channels he had to get me to go across the street and adjust the set for him. I was saddened somewhat thinking that Bidwell, since he was grand master of the Orange Lodge, might consider me to be an enemy to him and his family. He did not. His favourite saying used to be, "The Breaughs are damned fine people, for Catholics." In his own way, he meant that as a compliment, and my parents and I took it as a compliment.

Things have changed a bit in Ontario. I was surprised three years ago when I was invited to sit on the reviewing stand for the Twelfth of July parade by the Orange Lodge in Oshawa. I thought, "We have truly become ecumenical here."

I do not think there will be any major problems around the funding. From conversations with people on both my public board and the Catholic board, I know they have been getting ready for this for some time. There will be some kids who will move from one school system to another, as there will be some teachers and some other staff who will, but they can handle those problems. In some other jurisdictions, I know the problems will be somewhat greater than that, but they are not going to be severe. There will be arguments and there will be people who will be angry at our legislative committee. So what? That is not new. There have been some people in here angry at our committees for a long time, a lot of them with good reason.

I believe now is the time we can approach this in a very direct and open way. The only regret I have about this bill is that it has been bootled around for more than a year and people have not had a chance to see it. I find, even in conversation with people who are opposed to the funding, that their concerns are being addressed by the legislation. That is as good as it gets, folks; it does not get any better. Not everybody can have his own way in any law that is written, but when people's concerns are talked about and there is a chance to debate them and to make a submission to a committee, that is as good as the legislative process gets. It is not a perfect system.

I am happy to support this bill today. I hope there will be some refinements to the bill as it goes through the committee process. I know not everybody is going to be happy with it all; I have known that for a long time. Not everybody in Oshawa is in favour of extending funding to the Catholic schools. I can hazard a guess, because Oshawa is a place where there is no real need for



a poll to find out how people are thinking. If one walks down the street, people say very quickly how they feel about a given issue.

My little right arm and left, where people poke me all the time, tell me the community is not evenly split. Probably most people do not care a whole lot whether the government extends funding to the Catholic schools. If I were looking for the largest single group in my constituency, I would identify that group as being the largest chunk of people. Among the others, those who think it is a great idea and those who think it is a terrible idea, there is probably an even split. I think it is our job to step into that middle ground, unpleasant as it might be, and devise a system that is fair to everybody, to kids in Catholic schools and to kids in public schools.

I regret the bill cannot address itself to the long-standing and vexing problem of underfunding for education in general, but there will be other occasions when we can do that. Our new Treasurer (Mr. Nixon) being such a generous person, I am sure he will address himself directly in his first budget to that problem and resolve some of those difficulties.

What we have before us today at last is a bill to do this. The process is beginning a familiar phase. I support the bill. I wish those members well who are going to spend their summer on the committee that will hold these hearings. It is going to be a difficult job, but I know most of the members on that committee and I know it is their intention to have full public hearings to give people their chance before a legislative committee, and that is as good as it gets.

The legislation is not perfect, but it is the best we are going to get for now, and it is our job as legislators to deal with this bill, here on second reading, in principle, and as it goes through committee, to make it as good as it can be on second reading, in principle, and as it goes through committee.

#### NOTICE OF DISSATISFACTION

**Mr. Speaker:** If I can take up the time of the House for a moment, I would like to inform the members that, pursuant to standing order 28(b), the member for Sudbury (Mr. Gordon) has given notice of his dissatisfaction with the answer to his question given by the Attorney General (Mr. Scott) and this matter will be debated at 10:30 p.m.

#### EDUCATION AMENDMENT ACT (continued)

**Mr. McGuigan:** Mr. Speaker, this is my first chance to recognize you in your new position and

to join with all other members of this House in congratulating you and recognizing the experience and the personal qualities of fairness, sensitivity and good judgement you bring to the position. In the few days we have watched you, we have seen you on occasion pause to ponder a particular question. Within a few seconds you have always come up with the right answer that so far has pleased everyone. I believe all of us can expect that sort of contribution from you to continue.

I did not plan on speaking on this question when I came in, but since no one jumped to his or her feet, I thought I had better fill the void and speak for a few minutes on this very important question.

To sort of set the record straight, I want to say that a person with my Irish name is almost always assumed to be of the Catholic religion. The name is also very Catholic in that about 25 or 30 years ago, Cardinal McGuigan was, I believe, the first cardinal in Canada or in Toronto. He carried the same initials as my grandfather, his name being James C. I do not know whether the C coincided with my grandfather's name of Charles, but he was Cardinal J. C. McGuigan.

During my days as a student at the Ontario Agricultural College, at about the time Cardinal McGuigan was elevated to that office, for a good many years I carried the nickname The Cardinal. I do not wish to be called that again, not that I would be offended in any way, but that is part of my youth that has dropped behind me.

I was often asked if I was related to the cardinal. In a joking way, I always said: "Yes, I am related to the cardinal. He is my father." People would do a double-take and say, "Is he?" Then realizing the impossibility of it, they would laugh and we would make a big joke of it. Trying to have a fallback position, which is a good political position if anyone has ever been offended, I was always prepared to say, "In spite of the fact that I am a Protestant, he could easily be my spiritual father."

**4:50 p.m.**

I think that illustrates the feeling I bring to this debate. In this great country of Canada, because of our history and geography and because of the nature of the people who have come to make their homes in this country from every ethnic, religious and cultural corner of the globe, and blessed with the natural resources and space we have and the necessity to work together to survive, we have developed a great spirit of co-operation.

At first we built railways in Canada by private enterprise, but when it became apparent that we needed the co-operation and finances of the entire country, we made it a national system as opposed to the great country to the south of us, where the railways and airlines and whole transportation system are pretty much private. In Canada we have the spirit that brought about a communal ownership of those means of serving ourselves.

Not many of us ride Canadian railways. I understand only one per cent of those who travel from city to city use the railway system. I have ridden railways in both the United States and Canada, and the roadbeds here are far superior to those in the private-enterprise system of the great country to the south. It has been said jokingly that the only time they know a train has jumped the track is when the ride suddenly becomes smooth.

In Canada we have been on the track in many parts of our history and culture, through our post office system, the nuclear system owned by the government of Canada and our broadcast and airline systems, and in our daily living we carry through that same co-operation.

I want talk for a minute about my riding, Kent-Elgin, which is very old. It is one of the earliest settled parts of Ontario because the settlers came through the lakes to Detroit and up to the headwaters of the Thames River. They settled by the river rather than the lake, as one might expect. It is largely an agricultural area, one of the richest in Canada because it is made up of great soils brought about by the river and the former lake bed that covered that whole area and has the advantage of the most southerly climate in Canada.

Agriculture flourished there, and various waves of immigration developed. There were British immigrants from the very beginning, joined by French from Detroit and, following the First World War, by displaced people from Europe, many of whom were Catholic, followed by the wave of immigrants after the Second World War, many of them, but not all, Catholic.

These immigrants bought their farms wherever pieces of land were available. They did not congregate in one part of the county, which meant people from many different backgrounds were intermingled. As generations have gone on, those families have intermarried; so it is very common in our part of the country to find Protestant and Catholic people married to each other. To be personal about it, of my two daughters who are married, both are married to Catholic boys. Among my own brothers and

sisters, one of them is married to a Catholic girl. That has had a very salutary effect upon our understanding of and feelings for one another.

During the election campaign, I was seldom confronted by the question of extra funding. Occasionally I would meet someone who appeared to have suddenly discovered in 1985 that we have a separate school system. I did not argue with him. There is not much point in arguing during the course of an election. I take the views of people. It appeared to me that suddenly, after almost 140 years—we had the first separate schools in 1841—they discovered we had a separate school system. They did not realize we have had harmony and a good system and that we have avoided the disharmony that has characterized so much of this world.

There is no worse disharmony than that built upon religious bias. We should be proud that in Canada and Ontario we have handled this situation so well in the past and that we came into the 1985 election united. Three parties were all committed to the same issue. I am rather offended at times when I hear people in this Legislature trying to dig out some of the divisive factors. We are not supposed to impute motives to people. Maybe they are just digging in on the nuances. That is their duty, to dig in on the various nuances and bring out the facts. But sometimes I feel these people are laying the groundwork for another election and are trying to build upon those religious differences. Mr. Speaker, whether or not you will rule me out of order about imputing motives, that does offend me.

I am proud that we have three parties who supported this principle. Now that we have the bill before us, we have a system whereby we can take it to the public—albeit we have very little time to do it—and we can debate it as much as time allows. I am a little offended too when people stand up and say that somehow or other we are trying to hide this bill, when the very people who are making the charge are those who refused to debate it during the course of the election.

I, along with the member for Chatham-Kent (Mr. Bossy), attended an all-party meeting. It was also attended by the two candidates from the New Democratic Party. But conspicuously absent from that debate were the candidates of the Progressive Conservative Party.

We went to the meeting a little apprehensive, knowing it could be charged with a lot of emotion and we might be debating this question before 400, 500 or 1,000 people. To our relief and



surprise, we found that in the middle of an election campaign there were not more than 50 or 60 people there who were interested in this very important subject. In my riding—I should not call it my riding; the riding does not belong to me—in the riding of Kent-Elgin it has been received very warmly and with a great deal of understanding.

**5 p.m.**

I recognize the difficulties members have brought up. There will be some. People will perhaps have to move from one locality to another to maintain their jobs. One would be sorry to see a person forced to do that; yet every day people in business are required to move because of their jobs. We had a demonstration in front of the Legislature just yesterday of people, many of whom are not only having to move, but have no place to go. When those people lose their farms, in almost every case they lose their houses as well. I place that before members as making a person who has to move from town A to town B pretty insignificant compared to those who, because of economic conditions—and many of those are influenced by governments—have to move and have no place to go.

I think those difficulties can be worked out if we have the will, goodwill and good sense to try to make this transfer as smooth as possible, rather than trying to exploit the natural problems that arise.

I simply want to say I am pleased to take part in this debate. I congratulate the Minister of Education, who in a very few days brought forth a bill many people have said is not perfect. I do not think we probably ever have put forward a perfect bill from the Legislature, one that would not develop some problems or evoke some criticism from various people. It is probably as perfect a bill as the average and may prove in actual fact to be better than that.

I ask all members in the spirit of Canada, of a country that has gained worldwide renown—I think back to the Pearson era—as a country that can settle differences and act as a mediator in world affairs, to use that same hospitality and largeness of spirit to handle this local matter.

**Mr. Baetz:** Mr. Speaker, I would first like to join the chorus of congratulations on your appointment and say that, along with the other members over here, I will be supporting you and trying to make life a little easier for you. There are no conditions to that, or perhaps I should say “some.”

Although the Minister of Education is absent, I would like to go on record as saying how pleased I am that he has taken up that position. It is a very

onerous one. Over the years I have known him, I have not only learned to respect his professional abilities but also have developed a real genuine affection for him. I would certainly want to assure him that in the course of what could be some difficult months ahead we will be supporting him.

I am certainly pleased to participate in the debate on this very important piece of legislation. At the outset, I want to assure the minister and my colleagues that I intend to support second reading of the bill, if for no other reason than to expedite wider public participation in the deliberations as the bill goes forth to committee.

In supporting second reading of the bill, I do so with a daily deepening sense of concern about the lack of meaningful public participation to date. The decision by the new government to press on with implementation of funding this September and beyond without waiting for the due process of the courts and the findings of our legislative committee will surely add to the sense of public frustration, divisiveness on this issue and even some growing sense of cynicism.

We all recognize we are dealing with a major public decision that will fundamentally affect the lives not only of this generation, but of generations yet unborn in this century and the next. In light of this time perspective and in light of the events over the last few months, it surely would have been wise and statesmanlike to delay implementation for a season or until the work of the committee and the court had been completed. Short-term annoyances and inconveniences would surely have been vastly outweighed by long-term satisfaction, had we decided to proceed just a little more slowly.

The manner in which the government is now proceeding almost makes a mockery of its recent claim to more open government. Because I was a member of Premier Davis's cabinet at the time he announced his intentions to extend Roman Catholic secondary school funding, I am associated with that decision. Had I been fundamentally opposed at that time to such an important declaration of intent, the only honourable step for me would have been to resign. That is a step I did not take because at that time I felt the extension of secondary school funding was socially desirable, economically manageable and politically feasible.

My own views at that time were based on four basic assumptions or premises. The first was that this issue enjoyed a substantial degree of consensus among the people of Ontario, even if that consensus had remained largely unexpressed

and inarticulate. I was not aware that it had been, and I would argue with those who would say this debate had been, raging ever since 1971. I do not think it really had. While not everyone was likely to support the extension, I felt at least it would not become a major divisive issue. That was premise number one.

My second premise was that extended funding was not only constitutionally valid, but probably there was some obligation in the Constitution to extend funding. I also assumed at the time that the whole matter would be consonant and consistent with the religious equality rights expressed in the new Charter of Rights.

My third premise was that although there would be some extra costs for all taxpayers, these would be modest and manageable.

My fourth premise was that Premier Davis, who had demonstrated his outstanding leadership abilities on so many issues and who had given this subject a great deal of personal thought and study, would provide the required leadership over the next two years to implement intention into legislation.

Time and circumstances have somewhat shattered my confidence in the four premises for support. I would like to amplify this by dealing separately with my four assumptions and premises.

The results of the May 2 election and the public debate, especially in the latter part of the campaign, clearly indicated to me in Ottawa West that there was no general consensus on this subject. I have listened to other members in this House say the same thing. It was a very major issue in the election and the most major issue I have encountered in my three election campaigns.

**5:10 p.m.**

On the contrary, this issue was becoming a divisive one. Although much of the electorate's anger was and continues to be directed at the nonconsultative process and the so-called three-party conspiracy of silence, a good deal of the discontent I feel is also against the objective of extending funding itself.

In my contacts with many hundreds of citizens of Ottawa West, with views both for and against extension, I have been impressed time and time again with the intellectual level of their argument. There is an enormous amount of collective wisdom among our electorate on this question. If we utilize it wisely, it can help us reach a proper solution.

The views of those opposing extension cannot be dismissed lightly as simply those of bigots and

anti-Catholics. There is a genuine concern about the economic costs and the possible social divisiveness that two parallel secondary school systems may have on our society. People are genuinely concerned about the seeming anachronism of extending public support for one religious educational system in a society at the very time religious equality has been enshrined in our new Charter of Rights and Freedoms. More citizens simply must be given the opportunity to voice these genuine concerns freely and in detail before any final and irrevocable action is taken by government.

If we are to create the social environment necessary to achieve some genuine public consensus on this issue and to avoid further divisiveness on this volatile matter, then surely it was a mistake for the present government to announce it would introduce extension this September on separate secondary school funding by decree. The people out there who think about this know they are now facing a *fait accompli*. They know the government has crossed the Rubicon. Nobody for one moment expects that once funding has been granted for one, two or three years it will ever be withdrawn.

My second premise for initially supporting extended funding was that it would be constitutionally valid as well as compatible with our new Charter of Rights and Freedoms. With the advantage of hindsight, I have had some questions about the validity of this premise. We may have to wait several years for the final judicial decision to be handed down, but in the interim a number of dilemmas have already surfaced which illustrate the enormous difficulty of reconciling the interest of secondary school funding with the new charter.

I cite an example which relates to the provision of access to Roman Catholic schools for non-Roman Catholic students. Access for non-Roman Catholic students is to be conditional upon space being available. That condition destroys the principle of equality between Roman Catholic and non-Roman Catholic students. Therefore, to achieve equality, the legislation proposes, as I understand it, to impose similar reciprocal limitations on Roman Catholic students wishing to enter public secondary schools.

In an effort to achieve that equality in that respect, the legislation impales itself on the horns of another dilemma. It removes Roman Catholic students' basic right, which they have enjoyed all these years, to have access to public high schools regardless of space availability.



There is another example of likely failure in achieving equality among our citizens in this proposed legislation and that relates to Catholic and non-Catholic teachers. Catholic and non-Catholic teachers who move from the public secondary school system to Roman Catholic schools will be immune from firings because of personal decisions which are frowned upon by the church, such as abortion and divorce, and which are grounds for dismissal of Roman Catholics employed earlier. In attempting to protect the new arrivals, we breach the principle of equality for those Roman Catholic teachers who have been serving on Catholic boards prior to this legislation.

Finally, another example where the legislation is likely to result in inequality in perpetuity involves non-Roman Catholic teachers wishing to join the Catholic system after the 10-year transition period. With the substantial transfer of Roman Catholic students to the Catholic system, as well as the overall declining enrolment, 10 years from now non-Roman Catholic teachers will in all likelihood find it much more difficult to find teaching positions than will be the case for Roman Catholic teachers. The latter will continue to enjoy a hiring preference in the Roman Catholic system and at the same time have the option to teach in the public system.

These examples may be regarded by many as simply nitpicking and trivial, but in a society that is becoming increasingly sensitive to religious equality under the new charter, I feel these will be growing irritants and will eventually be widely unacceptable. I very much hope our committee will listen most attentively when these matters are brought before it by our electorate.

My third premise for support was that added costs were considered modest and manageable, something in the neighbourhood of \$40 million for the first year. More recently—and this was confirmed today—we have been told these are now estimated at double that during the first year and will increase dramatically after that to approximately \$150 million per year when the extended program is completed.

All of us who have been involved in forecasting public expenditures will expect these upwardly revised projections will in time be further revised higher rather than lower. Of course, all this will come at a time when education costs will undoubtedly increase substantially as Bill 82, designed to foster special education, reaches full maturity. It will also come at a time when we will be expected to finance new programs to prepare

our students for the rapidly changing technological labour market.

It is against priorities such as these that the extension of separate school funding is being measured by many of my constituents with some concern. I hope they will be allowed to express this fully when the committee meets.

On a more personal note, my fourth and final premise in initially supporting extension was that my esteemed previous leader would be negotiating through the perhaps murky waters and leading us to the implementation of his announced intentions. That premise, as we all know, has been proved incorrect. He is gone to his well-earned retirement from public life, and I am a private member in opposition.

Therefore, during the months ahead, through systematic dialogue and survey, I intend to obtain a much more accurate assessment of how my ultimate bosses, namely, the constituents of Ottawa West, feel about this crucial subject. I want to know especially how the silent majority there feels about this particular issue.

We have had close to 1,000 inquiries and letters. At the present time, almost 75 per cent oppose the measure. I am not concluding that represents and reflects the feeling of all the people of Ottawa West, but during the course of the next few months, I will certainly try in the best ways open to me to get a true sense of their feelings. Through that, I will be coming here to represent and reflect their views. I believe that is a good illustration of, or is the best way I can put into effect, a participatory rather than perhaps what one might call a representative democracy.

**Ms. Bryden:** I am pleased to participate in this historic debate on Bill 30 because at last the Legislature is being given an opportunity to discuss both the principles of completion of funding for separate schools and the terms under which the extension of grants is to be made. This discussion is a year late, unfortunately, but it is happening now, as it should.

I have served for 10 years in the Legislature. During that period I saw the Progressive Conservative government remove more and more issues from the scrutiny of this House. School grants were one of them. They could be designed, adjusted, cut back or increased without the approval of the Legislature. Ontario hospital insurance plan premiums could be raised—they were never lowered—and premium assistance thresholds changed without consulting the Legislature.

Many other vital policy changes could be made by the government without coming here.

This was all done through legislation which gave the cabinet or a minister these sweeping powers. It was an anti-democratic trend, which became the hallmark of the Progressive Conservative government and, I believe, led to its downfall.

**5:20 p.m.**

I hope the fact that we are now dealing in the Legislature with a fundamental change in school grants is an indication there will be a swing away from that style of government from now on. Certainly, our party was among the first to ask for involvement of the Legislature at a very early stage in this particular policy change.

Another thing Bill 30 accomplishes is to make us much more aware that there are many conflicting interests in our pluralistic society. In the field of education there are the interests of the parents who want to have a say in the kind of education their children receive; the interests of society which wishes to foster a literate, skilled and healthy populace; the interests of the individual in having equal and full opportunity to attain his or her maximum potential; the interests of competing philosophies and religions for recognition in our education system, and the interests of teachers, supervisors, administrators and support staff who deliver our educational services. Finally, there are historic and constitutional traditions and guarantees to be respected.

The debate on the completion of funding has made us much more aware of all these interests. I hope this awareness will lead us to a new consensus on the best kind of education system for Ontario in the late 20th century.

It seems to me this consensus must be based on acceptance of the goal of quality education for all our young people, and equality of treatment for all students in the tax-supported schools. That means we can no longer tolerate a situation where, for example, the per-student grant in the separate schools of Metropolitan Toronto was \$823 less in 1983 than the per student grant in the public schools. It means that we can no longer deny a full continuum of education from kindergarten to grade 12 or 13 to parents and students who choose either side of our entrenched, dual education system.

I support the extension of full grants to the grades above grade 8 in separate schools strictly on the grounds of fairness and justice. We cannot treat students in the Roman Catholic system as second-class students. We cannot deny them all the options for academic and skills training, cultural activities and enriched courses which are offered to their counterparts in the public system. They have been deliberately discriminated ag-

ainst by the Progressive Conservative government over many years. The former Premier, William Davis, recognized this discrimination only a year ago. One wonders what struck him on the road to Damascus.

There are those who say it is discriminatory to give this kind of equality only to Roman Catholic separate schools. That may be true, but the special treatment protecting the existing rights of both Roman Catholic and Protestant minorities was written into our Constitution in 1867, and it is specifically allowed to continue under the Charter of Rights. It is a recognition of a long, historic evolution of a dual tax-supported system based on different philosophies. It has been accepted for many years.

Given that acceptance, I think we then have to then consider whether these grants should be equal for both sides of that dual system.

To extend similar special treatment either to other denominations or to nonreligious private schools would, in my opinion, put the question of equality for students, which I mentioned previously, in question. I doubt if any other minority group could build a viable education system to meet today's broad and diversified educational needs. The numbers are simply not there, and few groups could offer a province-wide service equal in scope to what the present dual system can provide. Even if one gave equal grants per student, the kind of education that other groups could provide would not be anything like that available in the present dual system, nor do I believe that a majority of Ontario residents want a balkanized education system.

I think it is very unfortunate that extension was finally adopted by Mr. Davis and his party at the end of a long period of cutbacks in provincial support for education. The drop in the provincial share of the education dollar from 60 per cent in 1975 to less than 48 per cent in 1984 forced school boards to choose between reducing quality of education and hitting the municipal property taxpayers more heavily. Most chose the latter.

Since most school ratepayers had come to expect a continuation of this restrictive trend, they feared that the additional burden for extension would be financed by reducing still further provincial grants to public schools. They saw in extension a threat to maintaining the quality of education in the public schools or an increase in the property tax burden. I think they were justified in those fears.

The public boards would, in fact, lose grants and taxpayer money for the children who



switched to the separate schools. Often the loss would not be accompanied by an equivalent reduction in overhead or supervisory costs at the public school level. When this switch occurred in schools already facing declining enrolment, the twin impact on revenues could be disastrous. The public secondary schools might no longer be able to afford the diversified curriculum and cultural courses that have become part of the educational services available in the larger public secondary schools.

While the legislation does contain substantial guarantees to establish equality of access and protect the jobs of teachers, supervisors and support staff, it fails to contain the ultimate guarantee: that the province will reverse its policy of reducing the provincial share of education costs. The only way to assure quality of education and equality of education for both sides of the dual system is to increase the provincial share for operating and capital grants to both sides of the system.

This was a major premise in the New Democratic Party's convention resolution passed a year ago when we reviewed and confirmed our 15-year-old policy of support for equality of funding for both sides of the dual system. Our resolution said in clause 3, "The NDP calls for the phased-in removal of the education portion of residential property taxes to reverse the shifting of provincial obligations to local taxpayers, and that funding for the public system be not reduced but adequate operating and capital funding be provided by the government of Ontario for both systems."

The absence of this kind of guarantee or commitment by the government at the time the proposal was first advanced by Mr. Davis has led to a tremendous amount of concern and misunderstanding by users and supporters of the public school system. Scenarios have been painted of sharp declines in the quality of education in the public schools. Instead of achieving equality between the two systems, it has been alleged that the extension will make the public system second-class.

While the scenarios may not all be accurate, the lack of information on the details of implementation have led to a buildup of fears and animosities. I regret this very much and I fault the Progressive Conservative government for letting it happen. I think it could have been avoided if the government had made a commitment to end the abysmal underfunding of our education system and had based its plans for equality on that premise.

**5:30 p.m.**

This kind of guarantee would envisage additional grants to smaller schools which may emerge in the public system following implementation, grants which would enable these schools to maintain their quality of education in a declining enrolment situation. Similar grants should, of course, be available to schools of the same size on either side of the system, but the problem may be mainly on the public side.

If this kind of guarantee cannot be written into this legislation, I hope the government will at least give us an assurance before the debate concludes that it does intend to reverse the trend towards a lower provincial share of the education dollar. After all, the province has the broader taxing capacity and can use taxes more related to ability to pay than the property tax. A greater provincial share is the only route to achieving true equality of educational opportunity on both sides of the dual system in this province.

Another principle that must be part of our consensus in the education system is accountability. I think this bill increases the accountability of both sides of the dual system by including significant guarantees to establish equality of access and protection of the jobs of teachers, supervisors and support staff and to establish that there shall be no discrimination in employment. These are now parts of the bill, and I think a lot of these guarantees would not be there if our party and some other members had not spoken out during the debate on implementation that did occur over the past year, stating that these must be written into the legislation.

I feel that these guarantees go a long way to meeting the problems of adjustment and implementation. Some of them could be strengthened, and it is possible we will be considering some amendments when we get to committee stage. One that strikes me as requiring some reconsideration is the limit of 10 years on the period during which teachers will be guaranteed the right to be hired from one system to the other without loss of pay, benefits, seniority and so on.

I think teachers and all staff affected by the extension policy should be guaranteed pay, benefits and opportunities for promotion equivalent to what they would have had if they had stayed in the public system, and that this should be for their entire careers as teachers, support staff or supervisors, not just for 10 years. The principle should be that they should not be disadvantaged by the implementation of extension.

My party colleagues and I reject the argument that extension of full funding to the Roman Catholic schools will justify the extension of funding to private schools. We reject it on the grounds of accountability and viability. While some private schools have introduced more diversity into our educational system, we feel a greater degree of diversity can be developed within the tax-supported system, while at the same time we can concentrate our funding on schools which are fully accountable to the taxpayers who put up the funds.

Many people say this legislation will be divisive. I feel it will be just the opposite. It will bring Roman Catholic school boards and public school boards into closer contact. They will have to sit down and plan sharing of facilities to avoid duplication. They will have to accept students on an equal basis. They will have to adopt hiring practices that do not discriminate on the basis of creed. I would hope the definition of "creed" will be expanded to include lifestyle. I understand that is the intent.

In many areas under this program, students will be sharing school buildings, gymnasiums, cafeterias, schoolyards and even certain specialized courses that may be offered in one or the other components of the dual system.

The best way to build co-operation and break down barriers between people and students is for the two systems to be put in a position of equality. Negotiations between equals are always more productive. I think this bill will promote that situation.

I intend to support it, but I hope it will be accompanied by a new general deal on provincial financing of education, as I think that is essential to make it work.

**Hon. Mr. Sorbara:** It gives me great pleasure to rise in support of this bill, and it is a unique opportunity for me because it is the first time I have been able to participate in a debate in this House. I am honoured to be able to participate in support of Bill 30. May I preface my remarks with my congratulatory note to you on being appointed Speaker. This is the first opportunity I have had to do so.

As Minister of Colleges and Universities, I believe I have a special interest in this bill. Our commitment in the ministry is to the highest-quality post-secondary education system this province can afford. In order to achieve that objective, it is necessary that the system out of which students for colleges and universities come is of the best quality the province can afford.

I view Bill 30, among other things, as a major and historic step for the province in its commitment to enhance the quality of education. We have debated and discussed the particularity of Bill 30 at many levels; the questions of access, guarantees, constitutionality and all of these things are important.

I believe the bill addresses these questions appropriately, but the real meat of Bill 30 is that this province has taken a giant step to reaffirm its commitment to all of Ontario to enhance the quality of education.

Let me tell you a little bit about the experience I had during the election campaign in dealing with this question of full funding for the separate secondary school system. There was confusion in the riding of York North and there were a number of misunderstandings. Many voters expressed their concerns to me, saying they did not know what the government of the day was trying to do, where it was going and what the implications were. Earlier in the session, we saw a continuance of that confusion when the former Minister of Education refused to present a bill to the House.

I applaud the Minister of Education for going beyond that threshold and giving the province certainty, because my experience during the election campaign was that people wanted certainty. They really believed it was the appropriate and compassionate thing to do, to finally have a full realization and full funding of a system that has existed since before Confederation.

In the riding of York North there is a Catholic population expanding in leaps and bounds. In particular, they were concerned with having a system that would take students in a separate secondary system right up to the university or college level or entry into the work force.

**5:40 p.m.**

Some objections lodged with me during the election were unacceptable because they were based on a partisanship that is no longer a part of this province. This is an expansive measure; it is a realization of a concept and a commitment that began in 1867, although it existed before that.

As we approach implementation this September 1, we must realize that the implementation must be compassionate to all sectors of the education system. I am thinking of a public secondary school in Woodbridge that has a shrinking enrolment. Teachers came to me from that school and said, "We do not want to lose our school."



If the implementation of this bill is done compassionately, we can accommodate these shifting realities in York North, in York region and in the entire province. Our commitment to education must be comprehensive; it must be a commitment to the diverse realities of the community. That is the kind of system I look to as a feeder system to the colleges and universities of the province.

Other objections I heard related to the constitutionality of Bill 30. We have dealt appropriately with that in our commitment to have a reference to the Ontario Court of Appeal and have that question determined.

Other objections concerned the loss of schools and the disruption and confusion that would exist: "Where will my children be going to school?" We have dealt with that question too. We have determined courageously to proceed with the bill and the implementation of funding based on the commitment that was made more than a year ago.

As we proceed on this road and expand our commitment to education and the quality of education, those fears and uncertainties will be laid to rest. The system we will have after implementation will be superior to the one we had before. Surely that is the ultimate goal.

Our education system will continue to change, grow, diversify and expand to respond to the changing complexities of our society. I applaud this step because it gives us the courage and vitality to proceed with those changes that will be needed in the future.

I end by saying that in the riding of York North, the people I met during the election campaign and those who have contacted me since then confirmed their support for the bill. People, not only of the Catholic faith but also of Protestant faiths or those of no faith, suggest to me that while it is a difficult measure, it is one that is timely; it is a measure that is long overdue.

**Mr. Ashe:** I rise in this debate with as much personal family background on this issue as any member in this chamber. I have had two children who have gone through the public secondary school system and two children who have gone through the separate high school system. I have had the input, the reaction, the surroundings of four children of mine, two within each system. All four of them went through pretty well; it did not really matter which system they received their education in. I do respect, as I am sure all members do, the right of both systems to funding.

If we think back on this issue, the debate has been going on in varying times and on various issues over time for something in the area of 140 years. There were many things I found very disconcerting during the recent election campaign, but the one related to this issue—I am sure many members in all parts of the province found the same thing—was how many people did not recognize how long this issue had been going on. The issue was there 140 years ago; it was resolved, if you will, 140 years ago.

Many people would argue that the concept of the two systems should not have been enshrined in the British North America Act in 1867; they would argue that it should not have happened. That is fine. However, there are not too many people around today who were here during the debate that took place in 1867.

When I got into this issue at people's doors, one thing I was able to point out—as I am sure many members did during the election campaign—was that if one were any kind of historian, it would be safe to say it was quite possible we would not have this country we call Canada without the accommodation that was acknowledged and written into law in the British North America Act. I think we can all subscribe to that. Also, if that had been in the back of people's minds when they looked at this and other issues, we might not have had the divisiveness that took place.

I found it very difficult to talk to people at their doors when they did not recognize the background and history, as well as the length of that history. What I found even more difficult to accept was those people who thought this was the first time government had been looking at the funding of the separate school system; not that this was an extension of 15, 17 or 18 per cent of the total educational concept up to and through secondary school, but that this was the first time. As far as these people were concerned, it was a great evolution—a great revolution—into a whole new era, a whole new space, that was taking place. We know that is not the case. It is a relative acknowledgement of something that has progressed in time.

If a difference of opinion has built up over the decades, I suppose it was the intent of the Fathers of Confederation when they wrote the British North America Act. In my view, there is no doubt they thought they were saying that the basic level of education should be funded in both systems. It is easy to say that at that time what we now call grade school, up to and including grade 8, probably fitted the bill. It is safe to say that as

time went on and the extension took place to grade 10, maybe that filled the bill of the time, so to speak, by saying: "That is a basic education. Anything beyond that is over and above."

I do not think anybody in Ontario, regardless of his or her position on this issue, could challenge that a basic education in Ontario today is considered to be at least a high school or secondary education. It is on that basis, if none other, that the slight extension of two or three years—depending on whether one wants to temporarily include grade 13—will take place.

There are a few other things that bothered me in my own constituency of Durham West. Contrary to the views expressed by all the members opposite, it is safe to say that probably many candidates in all parties—but probably as many Liberals, frankly, as other candidates during the campaign—did not support the position of either the present or past government on this issue.

The Liberal candidate in my own riding debated regularly and was opposed to the initiative of the government. Maybe that caused the other three candidates—we had four in my riding—a little more concern and a little more heartache than was necessary. It would be interesting to hear what he is saying. He has been very quiet on the issue in the past few weeks in the local press. We will see what happens over a period of time.

**5:50 p.m.**

I guess we all figure these issues come and go. I would like to refer to a couple of items in a newspaper. Here is a very large headline: "Ontario Will Be Like Northern Ireland with Extension of Separate Funding." Here is another one: "Full School Funding Threat to Democracy, Says Public School Board Head." The story under that heading goes on to talk about the fact that the chairman of the Durham Board of Education called the provincial government plan to extend funding to Catholic high schools this fall a "threat to democracy."

That is not out of a newspaper of 10 years ago or even 10 weeks ago. It is from a paper that was put to press and delivered to my door yesterday. These are the very divisive things that are being said, stirring up the community, and I think it is safe to say that many of the media have not been very helpful in this regard. I sincerely hope not too many other areas have that kind of local publicity on this issue, because it does nothing to help our communities and our constituencies.

I guess members can presume by now that I will be supporting Bill 30. As many other

members have mentioned, there are a few shortcomings. I am particularly concerned about student access, both in the case of a separate school supporter going into the public school system and vice versa. Frankly, that is a step backwards from what has been in effect virtually since day one. There have been no restrictions, at least one way, on a Catholic going into the public school system. It was not a question of whether there was a space available in the public system; space was always made available. That is a step backwards in this bill, and I suggest probably the reverse is the same. Perhaps we should think about removing that restriction.

In closing, I have one other concern I am afraid I must put on the public record. Again, it affected all parties during the election and all representatives of those parties. It happened to be about seven or eight days before the election took place. It is safe to say most of us were handling this issue within our constituencies. We were talking about it at great length in public meetings and from door to door. We hoped we were satisfying the concerns of many of our constituents on this issue: it was fair; there was a historical background to it; it would work; the concerns of teachers, parents and students would be accommodated and taken care of, and once it all flowed into place, with a little movement here and there, it would all work out.

To use a colloquial expression, I think we were all getting away with that explanation because it was valid, reasonable, responsible and represented the views of most members of the three political parties involved.

Unfortunately, a week or so before the election, a certain archbishop spoke out very loudly and, in my view, very inappropriately on this issue. He focused all the attention and made it very valid in the minds of all those opponents to extension that they could stand up and say, "If a prince of the church says it is wrong, I knew it was wrong from day one." That was a very difficult and divisive time for all of us and a very inappropriate one.

I honestly believe there has been too much involvement by the church recently in government and political affairs. I say that in a nondenominational way. I say that about the Catholic bishops and the United Church, and I have obviously made reference already to an Anglican archbishop. The church has its own very valid place in society. I am an active churchgoer myself; so I am not speaking to that from any other point of view. However, I think it is very unfortunate when the church finds time to



get away from its pastoral duties and becomes involved in the politics and government of the country or the province. I hope they will put all their time and energy back where they should be: in their pastoral duties.

I hope that at 10:15 tonight, all members will see fit to support Bill 30.

**Mr. Mackenzie:** I do not intend to be long on this, but I would not have missed the opportunity to speak in this debate for the world. I want to say that I consider this a rather historic occasion. It is an occasion when for the first time I did not put down any notes at all. In the four minutes I have, I would like to give some quick personal reflections on the issue.

I remember well the debate in our party. There was support for the idea prior to that, but in effect we had almost a two-year debate in our party in 1969 and 1970, leading up to a major convention debate over what our position was going to be on extended funding. The debate throughout the party and at the convention was a good one. The decision was made and it was a tough one. It was made back in the time when there was still a lot of opposition to it, but we stood for the full funding.

At the risk of simplification, the rationale was that we had one public school system in this country; it was known as the public system and the separate system, but it was really a two-stream public school system. The intent of the early founders of our province and of our country was that the two streams had equality. The fact was that equality did not exist, because the funding was not complete for one of the two streams in our public school system in Ontario. I accepted that argument in the course of the debate in our party. I think it is an accurate, although very simple, explanation of the situation we were in.

I see the decision to extend full funding as a matter of meeting a commitment we have reneged on for better than 100 years in Ontario. I

see it as an issue of fairness and equity in our province. I see it as an issue that was long overdue and an issue that was used politically from time to time.

I well remember being the campaign manager in Hamilton Mountain in the 1971 election. If the Liberals think they got clobbered in that election over their support for separate schools, I suspect our party was hit even worse. I probably built up more resentment to the Tory party over what I thought was dishonest use of an issue in that election than over just about any other issue I can think of. I remember well as campaign manager what we ran into and the kind of campaign against us on that issue.

I do not know why the former Premier did what he did the way he did or with as little consultation as he did. It surprised all of us, but for this party it was a pleasant surprise. It redressed a wrong and met a commitment we had reneged on for many years in Ontario. It is something that probably will lead eventually to more co-operation and equality and a better education system in Ontario.

I do not fear the implementation of full funding in Ontario as some do. I can say very clearly that I would feel fear if we were to try to back off from that kind of commitment or if people in our community were to try to use some of the prejudices or fears that are there, because it is an issue that could be divisive and very tough for the people of Ontario.

It is an issue that should be settled quickly but as fairly as possible. This is a rather historic occasion at a time when we heal and bring people together in this province and not divide them. I hope that is the thrust of the debate.

I want to make it very clear that I am both proud and happy to stand here in support of Bill 30 in this House today.

The House recessed at 6 p.m.

## CONTENTS

**Thursday, July 11, 1985**

### Statements by the ministry

Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services:	
<b>Estimates</b> .....	681
Eakins, Hon. J. F., Minister of Tourism and Recreation:	
<b>Masters Games</b> .....	681
Elston, Hon. M. J., Minister of Health:	
<b>Cancer treatment centre</b> .....	682
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Drowning deaths</b> .....	682
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Ontario finances</b> .....	683

### Oral questions

Conway, Hon. S. G., Minister of Education:	
<b>Learning disabled</b> , Mr. Cousens, Mr. Allen .....	691
Elston, Hon. M. J., Minister of Health:	
<b>Assistive devices program</b> , Mr. D. S. Cooke, Mr. Pope .....	694
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Ontario finances</b> , Mr. F. S. Miller, Mr. Rae, Miss Stephenson .....	685
<b>Job creation</b> , Mr. F. S. Miller, Mr. Foulds, Miss Stephenson .....	686
<b>Ontario finances</b> , Mr. Rae, Mr. Grossman, Mr. Foulds .....	687
Riddell, Hon. J. K., Minister of Agriculture and Food:	
<b>Agricultural land preservation</b> , Mr. Swart .....	692
Scott, Hon. I. G., Attorney General:	
<b>Public servants' rights</b> , Mr. Rae .....	689
<b>Party on Legislature lawn</b> , Mr. Gordon .....	693
<b>Extra billing</b> , Mr. Pope .....	694
Wrye, Hon. W. M., Minister of Labour:	
<b>First-contract disputes</b> , Mr. Foulds .....	692

### Petitions

<b>Provincial parks</b> , Mr. Laughren, tabled .....	695
<b>Roman Catholic secondary schools</b> , Mr. Morin-Strom, Mr. Ferraro, tabled .....	695

### Motions

<b>Select committee on energy</b> , Mr. Nixon, agreed to .....	695
<b>Committee substitutions</b> , Mr. Nixon, agreed to .....	695
<b>Committee sittings</b> , Mr. Nixon, agreed to .....	695

### First readings

<b>Brockville Rowing Club Inc. Act</b> , Bill Pr46, Mr. Runciman, agreed to .....	696
---	-----



<b>Famee Furlane of Hamilton Act</b> , Bill Pr1, Mr. Jackson, agreed to . . . . .	696
<b>City of Cambridge Act</b> , Bill Pr18, Mr. Barlow, agreed to . . . . .	696
<b>Central Pipeline Co. Ltd. Act</b> , Bill Pr13, Mr. Cordiano, agreed to . . . . .	696
<b>Agricultural Anhydrous Ammonia Co. Ltd. Act</b> , Bill Pr14, Mr. Cordiano, agreed to . . . .	696

### Second reading

<b>Education Amendment Act</b> , Bill 30, Mr. Conway, Ms. Gigantes, Mr. Mancini, Mr. Sheppard, Mr. Breagh, Mr. McGuigan, Mr. Baetz, Ms. Bryden, Mr. Sorbara, Mr. Ashe, Mr. Mackenzie, recessed . . . . .	696
--	-----

### Other business

<b>Estimates</b> , Ms. Caplan, Mr. Speaker . . . . .	681
<b>Newspaper article</b> , Mr. Sterling . . . . .	681
<b>Notice of dissatisfaction</b> , Mr. Speaker, Mr. Warner . . . . .	685
<b>Notice of dissatisfaction</b> , Mr. Gordon, Mr. Speaker . . . . .	695
<b>Notice of dissatisfaction</b> , Mr. Speaker . . . . .	705
<b>Recess</b> . . . . .	715

**SPEAKERS IN THIS ISSUE**

Ashe, G. L. (Durham West PC)  
Baetz, R. C. (Ottawa West PC)  
Brandt, A. S. (Sarnia PC)  
Breaugh, M. J. (Oshawa NDP)  
Bryden, M. H. (Beaches-Woodbine NDP)  
Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services  
(Orléans L)  
Conway, Hon. S. G., Minister of Education (Renfrew North L)  
Cooke, D. S. (Windsor-Riverside NDP)  
Cousens, W. D. (York Centre PC)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
Ferraro, R. E. (Wellington South L)  
Foulds, J. F. (Port Arthur NDP)  
Gigantes, E. (Ottawa Centre NDP)  
Gordon, J. K. (Sudbury PC)  
Grossman, L. S. (St. Andrew-St. Patrick PC)  
Jackson, C. (Burlington South PC)  
Johnston, R. F. (Scarborough West NDP)  
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
Laughren, F. (Nickel Belt NDP)  
Mackenzie, R. W. (Hamilton East NDP)  
Mancini, R. (Essex South L)  
McClellan, R. A. (Bellwoods NDP)  
McGuigan, J. F. (Kent-Elgin L)  
Miller, F. S. (Muskoka PC)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
(Brant-Oxford-Norfolk L)  
Pope, A. W. (Cochrane South PC)  
Rae, R. K. (York South NDP)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Scott, Hon. I. G., Attorney General (St. David L)  
Sheppard, H. N. (Northumberland PC)  
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development  
(York North L)  
Stephenson, B. M. (York Mills PC)  
Sterling, N. W. (Carleton-Grenville PC)  
Swart, M. L. (Welland-Thorold NDP)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wildman, B. (Algoma NDP)  
Wrye, W. M. (Windsor-Sandwich L)





No. 20

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Thursday, July 11, 1985

Evening Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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## **CONTENTS**

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, July 11, 1985

The House resumed at 8 p.m.

## EDUCATION AMENDMENT ACT (continued)

Resuming the debate on the motion for second reading of Bill 30, An Act to amend the Education Act.

**Mr. Martel:** I join in this debate as one who was educated in the public school system but who spent his teaching career in the separate school system. I would like to approach this matter in a somewhat different light from the excellent speeches I have already heard and to try to put it in an historical context which I do not think anyone has attempted to do entirely.

Back in 1968 my leader at that time, Donald MacDonald, as the result of a 1968 convention—

**Hon. Mr. Bradley:** Is that the journalist Donald MacDonald?

**Mr. Martel:** Journalist, critic, author. He established a committee of New Democrats, six of us to be precise. It included the Ambassador to the United Nations, Stephen Lewis; a friend of many of us, Walter Pitman; the quiet fellow from the Ontario Federation of Labour, Cliff Pilkey; our friend the former Speaker, Jack Stokes; and Patrick Lawlor, QC. It was an excellent committee of which I was privileged to be the sixth member. I am still here, and they have gone on to better things.

At that time we attempted to piece together the rights of the separate schools to exist with equal funding. It was quite amazing, as we went back. If we look at it historically, we can find that as early as the capitulation of Quebec and Montreal and the Treaty of Paris in 1763, followed by the Quebec Act of 1774—

**Mr. Haggerty:** Has the member been around that long?

**Mr. Martel:** Some say too long.

As early as that, the separate schools were granted the right to have their own school system, even though England at the time did not allow such religious freedom. In Canada it was allowed, and for a very good reason: the support of the clergy and French community was necessary because some rumblings were starting to occur in the United States.

At that time Quebec covered much of what is now southern Ontario. There was a legitimacy going back to almost the beginning, if one takes Champlain in 1609 and the first real settlement in this province. Right after the conquest the separate school systems were allowed to exist.

If one continues to trace this development in 1797, the Legislative Council of Upper Canada applied for the appropriation of wasteland for the establishment of respectable grammar schools, together with a college or university in each of the eight districts. The grammar school was, of course, for the purpose of educating the children of the rich. It was a few years before universal opportunity for education was to be a reality, even at the elementary school level.

In 1816 the first common school act was passed. One also sees that at that time in Upper Canada Bishop Strachan was attempting to establish an Anglican-supported school system. It did not quite succeed. None the less, the Family Compact was there and an attempt was made to develop a system beyond the separate school system.

If one continues to trace this, one will realize that at the time of the reunion of the Canadas—Upper and Lower Canada—in 1841, by the Act of Union, there was no legal provision in Upper Canada for segregation of Protestants and Roman Catholics in elementary schools, either common or grammar.

In spite of the type of arrangement quoted above, in the united province of Canada the question of educational development became paramount. The contrasting nature of the two sections of the united province demanded a different approach in several areas of government responsibility. Certainly, education was one of these. However, in 1841 an act was passed providing for the establishment of common schools throughout the province.

It included a section which said: "Any number of inhabitants of a different faith from the majority in such township or parish might choose their own trustees and might establish and maintain one of the more common schools under the same condition and receiving the same government support as other common schools."

Long before Confederation the right to a separate school system existed. It flourished and helped, which is really what happened in 1867, to bring about Confederation, which prevented the Americans from taking control. Many of us who have dabbled into a little bit of history know full well that in 1867 the union was developed because the Americans were doing a little growling about taking over some of the various parts of Canada as they existed at the time.

I can go on historically. In 1843, a further act exempted children from studying "from any religious books or to join in any exercise of devotion or religion which shall be objected to by his or her parents or guardians," and allowed parents, either Catholic or Protestant, to have a school of their own religious persuasion.

**8:10 p.m.**

What I am trying to develop is the historical significance of a separate school system in Canada that goes back to 1763 at least. This act was followed by the Common Schools Act of 1850 and the Supplementary School Act of 1853. The Supplementary School Act exempted all supporters of separate schools from taxation for public school purposes if they contributed in any rate or subscription an amount equal to the tax to which they would have been liable on their assessment for public school purposes had the separate schools not existed.

For some of us who have traditionally supported the separate school system, as I do, there really has been a dual tax system for many years. My children decided of their own choice that they wanted to go to a separate high school. In the town in which we live they can see the high school from which my wife and I graduated. They could have walked across the schoolyard into the high school, but they decided they would go to Sudbury to St. Charles College and Marymount College, getting up at 6:30 on their own rather than about 8:30. My daughter made that trek daily for five years.

**Mr. Nixon:** Did you get up at the same time and make their breakfasts?

**Mr. Martel:** I did not. I was just turning over for the first time then.

What I am driving at is that throughout that period we not only had to pay the regular high school tax but a rather substantial amount in tuition fees from grade 11 on, now verging on about \$650 a year.

I can well recall when I first came here raising this matter with Darcy McKeough, not only as to how it affected my family but how it affected people in mixed marriages. I tried for years to get

that little anomaly straightened out. If the man was the Catholic in a family, he could direct the taxes to the separate school system, but if the woman was the Catholic in the mixed marriage she could not. It was tremendously unfair in mixed marriages that if it was the man the taxes could be made payable directly to the school system of their choice, but if it was the woman this did not and could not occur. Until this day that exists.

I taught in the separate school system. It caused tremendous problems in many mixed marriages in which the husband really might not care where the children went to school and left it to his wife, but the taxes could not be directed in that way. He would either have to say on the forms that existed that he was a Catholic or enter into some Lucy-Goosey arrangement about renting the house to his wife so she held the rent and therefore paid the taxes in the area to which she wanted to direct it. It is a terrible system. Over the years I have moved a number of private bills to try to—

**Mr. Haggerty:** I think Darcy McKeough was a graduate of Ridley College. You were speaking to the wrong person.

**Mr. Martel:** To his credit, he attempted at one stage, in about 1969 or 1970, to see if it could be changed. He told me, and indicated at a committee meeting one night, he could not.

None the less, if I could just pick up the pieces very quickly, one other act, the Scott Act of 1863, ensured that the existing rights of Roman Catholic citizens would be protected and extended these to rural areas. As I understand from a statement the other day by the Attorney General (Mr. Scott), it was his grandfather or great-grandfather who moved that piece of legislation.

In 1867 the British North America Act came into existence. Let me quote from one of the history books: "Once again, the relationship of French Canada and the Roman Catholic religion, and the fact that French Canada's support of the union was critical...." It was critical in that coming together to resist the United States. It is a very vital and important piece of history. That support was necessary if we were to withstand the intrusion into Canada by the United States. That agreement to allow Catholic schools to exist and to subsidize them played a major role in what is now Canada.

Finally, there was one other act, and that is where the problems for the separate school system occurred. About 1871 we moved to extend what was then the educational system into high school. As a province which had the right



under the British North America Act, we did not extend to the separate school system the right to receive part of the taxes beyond the level of the day.

Historically, the separate school system and the right of Catholics to have taxation have been there since at least 1763. It was not always supported, but the right was there and at certain stages in our history it played a fundamental role in ensuring the unity which made Canada a country.

Having played that major role in Canada and having been given short shrift some short years after, when the extension of the system to high school went on, Catholics have up until this time not been given the rights which they were guaranteed. I have heard people say to me, "That was a hundred years ago plus a few more since 1867."

Times change and one can change these things, but I am not sure that when something plays such an integral part in making this a country that one can remove it from a group. What if we took a right away that was in the Constitution? What other rights in the Constitution would be entrenched so that people who have rights would not be fearful of losing those rights?

That is very significant from where I stand. I have been questioned about the other school systems, and I think it is much like French language rights in Canada. Two groups were given rights of language; certain religious groups were at one time given rights to educational facilities. There were those who came after. It is quite right to suggest that this is what the Constitution is about and this is what the system is about. We cannot take it away from some. I am not sure whether there is a legitimacy to making a demand that because the separate school system was there all these years that somebody else should have it. The same would apply of course with languages.

We all know the difficulties in those two very sensitive areas. They are areas that appeal very deeply and raise strong feelings in people. We certainly do not try to ignore their feelings or their concerns. They are legitimate beliefs, but when we have a constitution it is rather difficult to suggest that we simply change it because times change.

I would like to say a few more words, if I might, because there is a misunderstanding about separate schools. Most of us look at education as a learning process for developing the mind and through other programs developing the physical

side, but Catholics happen to believe there is another part that must be fed and advanced, and that is spiritual. A lot of people will not agree with that, and I don't ask people to agree with that philosophy, but it is a philosophy that Catholics believe. This is part of their system. It is not just the physical part or the mental part, but included in that is the spiritual development.

**8:20 p.m.**

In Catholic schools we attempt to put in place throughout the day, not just during religious lessons, some of the things we want to develop about life. I would not suggest for a moment that makes us any better than anyone else. It is what we believe. That does not make the separate school system any better than the public school system. However, we try to develop what we believe is the spiritual part of the total human being.

It is not enough to say we could teach religion for half an hour a day. If one wants to work the whole of life into the separate school system, one tries to do it in a variety of ways and subjects. In the process, we hope we teach tolerance, concern for others and respect for other people who have different opinions.

It is our hope and aim that through that we enrich our society. I am not saying we succeed all the time; we are human and we make mistakes. I have never taken the position that the separate school system I support is better than the public school system. That is why we on this side say the two systems must be equally funded and must have the same opportunities. We want those guarantees so there is no difference.

I want to conclude with another remark. Let me tell the members an interesting story. I was the principal of a separate school in a small town and a good friend of the principal of the public school. In the early 1960s, we decided we would go jointly to our two boards and suggest that since we did not have a shop in town and the kids in both the separate and public schools were being bused out of town to take shop, it would be nice if both boards could get together and have a shop put in one of the facilities and the other school could use them. In 1962, we were not favourably received. It was suggested that we should administer the schools and the board would run the affairs of the schools.

Both of us were treated summarily by our boards in the same way. It may have been a little too advanced for the time, but I happen to believe that attitude is slowly changing and there is more willingness to share. There are many ways in which we can share. It is absolutely ridiculous

that in this day and age we send five school buses down the road to pick up children from five different school systems. It is a waste of money. It is time we started to share. If we look at it carefully, it is time that certain areas share facilities and staff if need be.

Coming from the north with areas that are spread out, I have always thought some things to be a little strange. I remember a man who taught for me at one time who became head of the art department for the separate school system in Sudbury. He would go to Levack, and coming back from Levack at the same time would be the art director for the public school system. I wondered whether it would not be wise to send one person to cover both schools in that area and reduce the costs. There is purchasing we could do together. We could share computer services if we wanted. There are a lot of things we could do jointly if we had the will.

I listened to as many speeches as I could despite having to attend a number of meetings and I think this Legislature is setting the tone for the type of co-operation we want, with systems where people are equal and deal with each other as equals. I do not think we will see the fuss that arose during the election campaign when I thought for a while we were developing a new system of education rather than funding what in the long run will be two grades, grades 11 and 12. To listen to some people, one would have thought we were developing a whole new educational system rather than finishing a system that was truncated back in 1871, or thereafter.

I hope the spirit of co-operation is here, and that tolerance and understanding will play a major role in the consideration of the bill as it goes through committee and clause-by-clause debate.

I am pleased to have had the opportunity to say these few words, particularly in view of the fact that in 1968 I was able to help in drafting the New Democratic Party position which I put before the House again this evening.

**Hon. Mr. Van Horne:** I join in this debate with considerable emotion and sincerity. From the sincerity side, it is high time this assembly addressed itself to the essence of what we find in Bill 30. From the emotional side, we have heard a variety of members from all three parties indicate their rational reasons for supporting or not supporting this bill. By and large, they are all supporting it. We have also heard other personal reasons, familial or whatever. That is where I come in with the emotional side of it.

What brought me to Queen's Park in June 1977 was my determination, as a school teacher and administrator for 22 years, that there was something just a touch out of whack, generally, with education. It was something I felt I might be able to redress and address if I could become a member of Parliament.

Some members will recall—I look to the member for Ottawa Centre (Ms. Gigantes)—when I came here in June 1977, that we had a particular problem to try to resolve: the French-language secondary school in Essex county. After that election in June 1977, we came here for a mini-session. We put ourselves to that task as a Legislature, and we also got into the estimates of the Ministry of Education. For me, that was a baptism by fire. Within the first couple of weeks as a member of Parliament, not only did I have to stand in this House and speak on behalf of our party on this French-language secondary school situation, but I also had to get into the estimates, along with the member for Ottawa Centre and a handful of other members I see in this Legislature tonight.

I came here with a determination to try to solve, from the government end of things, what I, as a very naïve school teacher and administrator, perceived to be some of the problems in government as it related to education. Boy, did I ever get an eye-opener. The system controls the Legislature. In so far as the Ministry of Education was concerned, I had to admit that in a sense, the mandarins were the bosses and we were not. We struggled with the French secondary school and a variety of other things, but it has taken some time, too long a time, for us to step forward and take hold of those issues that dictate the lifestyle and rights of people in Ontario.

**8:30 p.m.**

The member for Kitchener-Wilmot (Mr. Sweeney) has given us all an interesting and complete historical background of the rights of the people in Ontario and Canada with regard to educational support. I do not want to bore members by repeating that. If anyone in this province has a question mark about the historical fact of educational right, human right if you will, in this province or this country, I simply refer to the comments and observations made yesterday by my colleague the member for Kitchener-Wilmot.

For a brief moment I want to bring out one other personal fact. Many members of this Legislature have done this. I noted just before the supper break that the member for Durham West (Mr. Ashe) made reference to his family, two of



whom had gone through a public secondary school and another two through a separate secondary school. The member for Sudbury East (Mr. Martel) made reference to his experience as a principal and his involvement with teaching in his own community.

I indicated at the beginning that I too have an emotional and personal contact here. I have the distinction of having a father who was raised as a Methodist and I have a mother who had the distinction of being raised as a Catholic. I am a product of that union and I am proud to say my parents raised me as a Catholic. I went through the elementary Catholic system here in Toronto and in London, Ontario. When I got to secondary school, at the end of grade 9, I transferred to a public high school. I had the honour and privilege of completing secondary school in a public high school.

I can recall as a very young person some of the anxiety we went through because there were those old games of some religious discrimination being played between young people many years ago in the late 1930s and early 1940s. I am very pleased to say I do not see that now. On the other hand, as far as the funding of the school systems is concerned, there is some discrimination and this bill will remove that.

Let me go a step beyond that to point out that I was privileged to be a secondary school teacher in the public school system. No one ever questioned me about my religious background. They could not have cared less. As a matter of fact, when I became a superintendent in the separate school system, one of my former bosses came up to me and said, "I did not realize you were a Roman Catholic." I said to him, "Does it matter?" He said, "I could not care less." That is the way it was.

I had the opportunity and privilege to work in both school systems and I have seen many others who did so. I have to say to the people who are saying the world is going to crash to an end with this and there will be all kinds of problems, that will not be the case. There are still some people who are concerned and upset. The member for Durham West made reference to the possibility of another Northern Ireland. I am sorry, but I simply cannot see that and I do not accept it. There has been acceptance within our community.

**Mr. Ashe:** I did not say that. The paper said it. I do not agree at all.

**Hon. Mr. Van Horne:** The member was making reference to what the paper said. I appreciate that.

I am sure we have all had letters of concern about this bill and about the prospect. Let me submit that if we assess the total number of people who come into contact with us, the number of people in our ridings and the number of people in this province of ours, those letters of abject concern are very limited and small.

The biases that may have been there years ago, in my view, are not there. The bias, the distinction or problem, if you will, has come from the way the government has addressed itself to the two different school systems. If we are honest with each other, any member in this Legislature who has looked at the way the ministry over the years has tried to accommodate the funding formulae—and they are as wide as this chamber—that member will have to admit there was a degree of hypocrisy there, because in the backroom way of dealing with moneys and formulae, it was really trying to acknowledge the difference but not admit it publicly.

This legislation will bring things out into the open. It will bring a situation of difference over the years onto the scene to be resolved, I hope, once and for all. I am pleased with the efforts of my colleague the member for Renfrew North (Mr. Conway) who has worked hard and diligently to bring this legislation to us, aided and accompanied by our cabinet, particularly the member for St. David, the Attorney General.

I am very pleased to see the form this bill is taking. I am sure there will be all kinds of suggestions for change and amendment to bring it more properly into focus in the eyes of those who think this or that factor is slightly out of focus, but let me submit that this is a darned good starting point. I would again like to commend our Minister of Education and our Attorney General.

I submit that our committee has a tremendous task at hand. All three parties represented on this committee are duty bound to listen to what is said to them and to do what is best by dint of their responsibility as committee members and to report back to us a bill, perhaps in more perfected form, that will suit all the needs of the people of this province.

In so far as the specifics of the bill are concerned, I submit that the accessibility and job security sections should reflect the need for both school systems affected by it to maintain their autonomy and the quality of systems they have built up over the years. I submit to all members that none of us want to see any diminution of the factors of quality and autonomy that our two school systems in this province have built up over the years.

**8:40 p.m.**

I submit too that there is a need for some questions to be raised about the capital costs in factoring some things, and again the member for Sudbury East made some reference to this when he talked about sharing. Particularly with my experience in the secondary school panel, I am looking at what might happen if there is a wholesale move to the application of all of the technical and commercial credits in the secondary system for secondary separate schools that currently do not have them. That would cause such a groundswell of financial problems that we would hardly be able to suffer them. There is a tremendous need for sharing, or at least for a look at sharing, of that kind of facility at the secondary level. I hope those questions come to the committee. If they do not, I hope the committee members, when they have people coming to them, will ask, "What do you think about this?" because, believe me, it is a major problem.

I hope, as was mentioned by the member for Brant-Oxford-Norfolk (Mr. Nixon) in his multi-wisdomed words to us yesterday, albeit they were rather interrupted by the clock, that we do not see the official opposition finding it irresistible to use this piece of legislation to arrive at some kind of political turnabout. We are all aware that we have one former cabinet minister, now clustering about him two or three others, who is of the view that there is something wrong, that something is going to destroy this province and that all kinds of turmoil could come from this bill. I hope there is not a beginning of what could be a turnaround to use this bill in an adverse way. I am fairly convinced that those members opposite, who I know from the last two parliaments, will exercise their wisdom to not let that happen.

In conclusion, I am pleased to offer these few words to the debate. I very sincerely wish the committee members well. I look forward to having them report back to us so we can complete this exercise as soon as possible.

**Mr. Harris:** I am pleased to join in this debate, which I believe is a very historic one, on the second reading of Bill 30.

First, Mr. Speaker, at my very first formal opportunity, let me congratulate you on your election to the office of Speaker of this assembly and, as others have done who have gone before me, assure you of my wholehearted and complete support in your endeavours of presiding over this Legislative Assembly. If I ever object at any point, bear in mind it is in the heat of the moment

and not in the overall tone of how I regard not only the office but also you personally.

Second, I want to congratulate the Minister of Education, the member for Renfrew North—it is still Renfrew North; I am not sure where it will be after redistribution comes through.

**Hon. Mr. Van Horne:** Nipissing East.

**Mr. Harris:** It is funny the member should mention Nipissing, because I understand the member for Renfrew North is on the hunt for ridings and will be in Nipissing in a couple of weeks to speak to the local Liberal association on July 20, I believe. I am not certain whether he is going there to promote the Liberal cause in the great riding of Nipissing or whether he is on the hunt for a new riding.

I want to tell the minister that I welcome him to Nipissing at any time. I am surprised he did not call and ask what I was doing on that evening to see if we could get together; one body in there could bring the number of people up considerably. However, I do congratulate the minister on his appointment.

I said I was pleased to join in this debate. I want to add that I have no difficulty in supporting a principle of fairness, a principle of what I believe is the honouring of a constitutional commitment. It is a commitment that brought this province into Confederation; indeed, it is a cornerstone commitment, if I understand it correctly, that led to the formation of Canada. I am talking about a province, Ontario, and a country I am very proud of and very fortunate to live in and to be a part of, and to be a part of the opportunities this province and country have afforded me as a citizen.

There are many people in my riding who have concerns about this legislation. I believe it is important to listen to what those people have to say. There has been a lot of what I believe to be misinformation and a lot of misunderstanding about the implications of this bill.

I am delighted the full hearing process proposed by my party and by my leader has been agreed to by all parties. I look forward to hearing from all interested parties during the hearings, particularly from parents, students, teachers, church groups and taxpayers. I hope the committee will accept my invitation to come and use Nipissing as one of the hearing sites. I say that because I know there are many people in the riding of Nipissing who are concerned about the implications of implementation of this bill.

Many of the concerns have been expressed already in this debate. I do want to hear from the public on many of the clauses that are contained



in Bill 30, but let me mention a couple of concerns shared by me and my constituents.

There is nothing in this bill and nothing from this minister to ensure that the public and the separate boards will work together to maximize the use of facilities, to avoid duplication of facilities and in some areas, such as smaller centres in northern Ontario, even to share in some programs that otherwise could not be delivered. I am talking particularly about communities with only one high school, about small towns in northern Ontario and about some of the other small towns throughout Ontario.

I believe we need assurances that the same high level of programs and options of programs that are now available across this province will continue to be available. I believe our students and their parents can expect no less. I and my party will be seeking those assurances in the weeks and months ahead.

I am very disappointed that this bill does not allow, in those areas where both the separate school board and the public school board agree, a consolidation of the board into one, with separate panels. For example, if one looks at my area of the riding of Nipissing, it could allow for a public panel, a separate panel and a francophone panel.

Many separate school supporters in my riding, who are in favour of extension and the principle of this bill, are concerned about the escalating costs of public education in Ontario; whether the costs are raised through property taxes or general revenue, they are concerned.

I believe the taxpayers have a right to expect the most efficient delivery of educational programs possible. I fully understand this will result in two publicly funded educational systems, one Roman Catholic and one nondenominational, but I and many of Catholic denomination in my riding believe it is possible to arrive at that goal while still maximizing the facilities and the programs in both systems.

**8:50 p.m.**

I am not only surprised and disappointed but also a little bit shocked, I say sincerely, that this Minister of Education and the Treasurer (Mr. Nixon), who is here in the House tonight and who I used to think was concerned about the cost of government, have not provided in this bill the option, at least in those areas where there is agreement from all parties and from all boards, to consolidate into the most efficient model possible. For some areas of the province, this model could guarantee the delivery of more and lower-cost programs without jeopardizing the

language of choice or the Catholicity of the separate school system.

I urge the minister and the Treasurer, as well as the rest of the Liberal Party, to reconsider the decision to cut off that option, for efficiency and for a better range of programs and options, particularly in the nonmetropolitan areas and in the smaller centres of this province where it may be the preferred local option by all parties.

I know there are many members who want to speak on this bill. Tonight is not the time to cover all the aspects that I or my constituents may be concerned about, but I do want to mention a few.

Many in this Legislature have spoken about access over the past couple of days and again this afternoon and this evening. I too am concerned about fairness in access to the best possible education and range of programs in the province for every student in the province, regardless of religion.

Many have spoken about the protection of jobs for teachers and employees of the public school system. I too am concerned. I am delighted that I believe, in so far as I have been able to ascertain to this point, that this bill incorporates many of the protections my party has advocated. I will follow with interest the comments of those groups that are most concerned and most affected in the hearing process that goes on after second reading.

I am concerned, as I mentioned earlier, about the protection of the public school system. I am surprised and disappointed so far at what I perceive to be—maybe I am getting the wrong impression, but it is what I perceive from being in this Legislature over the past couple of weeks—a lack of assurances from the Liberal government, not just from the Liberal Minister of Education but from the Liberal government.

The government has been unwilling to give those assurances in question period or through any other vehicle it has learned to use very quickly. Sometimes it is more effective in question period to communicate to the people of this province. I am concerned about the uncertainty it is creating in not assuring that the public school system will not suffer one iota as a result of the way this government plans to implement this legislation.

I am very disappointed in this Treasurer and in this minister for not having given consideration to some of the lower-cost options even when there is unanimous consent for the sharing of resources through consolidation. I am talking about resources such as office space, administration, buses, facilities and in some cases the actual

sharing of programs which otherwise, in many areas of this province, could not be delivered by either system individually.

I believe we should be encouraging this sharing if parties agree, not making it more difficult. I look forward with great anticipation to the views of the interested public on this bill, especially from the people of Nipissing.

As I said earlier, I thank the minister for living up to the Conservative Party's commitment to take this bill to the people in the fashion he has proposed.

I want to conclude by reaffirming that I will be supporting this bill in principle later this evening.

**Mr. Wiseman:** First of all, I would like to congratulate the Speaker and tell him that even though it is a little noisy down here, I am fortunate to have the former Speaker beside me. The other day, when I tried to get a supplementary on, he said it would not happen and the Speaker did say he would not allow it.

I want to congratulate the Minister of Education. I look upon him as a friend, and I think the same thing goes for him. When he is in my riding talking to some of our close friends who happen to be of the Liberal persuasion, I hear some kind things coming back about the member for Lanark. I wish him well because he has quite a job ahead of him.

I want to share with the House some problems I see with this piece of legislation and areas I would like to see addressed when it goes to committee.

Dealing first with religious instruction, I understand from my days on the public school board that the faith of the many Jehovah's Witnesses in our area does not allow them to take part in any religious instruction, even the Lord's Prayer, and we grant them an exemption from that. Since there are going to be two publicly funded systems when we are finished, I feel children of the Protestant faith who go to a Roman Catholic separate school should have that same privilege granted to them not to take religious instruction in that facility if they so wish.

On the issue of protection for teachers, during the last election campaign and since that time, once they knew the bill was coming in, a lot of the teachers in my area were worried about what would happen after 10 years to the present teachers who are in the system.

I realize they will be protected for up to 10 years, but, for example, I have two granddaughters who will be just about the age to go into the teaching profession, if they so wish, at that time.

When he is thinking about this, will the minister take into consideration whether, if there are positions available on a separate school board and they have the qualifications, all things being equal, and they apply along with someone from the Roman Catholic faith, they will be treated fairly in applying for those positions?

I ask because that does not happen in my riding at present. To get a position with the separate school board one has to be of the Roman Catholic faith. Since it will be publicly funded, and we hear so much about human rights, I think that issue should be addressed and looked after in the bill.

**9 p.m.**

Also in regard to protection of teachers, nothing was said during the election campaign about their credits being transferred along with them. I know from talking to both the Roman Catholic teachers' federation and the Protestant teachers' federation that the Roman Catholic federation does not have quite such good benefits as the public system does at present. I think teachers should be protected there.

If teachers move from the public school system to the separate system through no fault of their own, I feel they should not be discriminated against. If they have what it takes for promotion or would have had if they had stayed in the public school system, that should be carried over. They should be given those chances for promotion in either system.

The minister probably has not had a chance yet, but I think it would be in everyone's best interest, after talking to unions representing both Catholic teachers and Protestant teachers, to have one union representing both the Roman Catholic schools and the Protestant schools. I think that would be a good move and make it simpler to have some interaction between the two systems.

During the last election there were fears in the public school system that we are going to increase funding for the separate schools on the back of the public school system. The Liberal candidate in my riding at each meet-the-candidates night said the Liberal Party would bring the funding up to 60 per cent. He may have been ambitious in saying that—maybe it was the party's position; maybe it was not—but I think some additional funding to the public school system at this time would help to smooth over the situation.

Accessibility has been mentioned many times. Because there are going to be two publicly funded school systems, there should be equal



access. The same rules should apply to both. Students should not have to go through a mediator or director of education who would decide whether there is room. They should make room as they have to do in the public school system.

It is my hope that when this bill goes to committee the government will not be arrogant but will be open to good, honest amendments so that, down the road, people of all faiths will be able to get into either system without any barriers. If anything short of this were to happen, it would not only be a mistake for the government of the day but a mistake for every one of us as legislators.

I have faith that the minister will listen. He has not been arrogant to date and I hope he will listen to these amendments and act upon them.

**The Acting Speaker (Mr. Morin):** The member for Windsor-Riverside.

**Mr. Laughren:** You are close. It is Nickel Belt. I know it is difficult. I am a long way from you. I understand that and I feel it too.

**Hon. Mr. Bradley:** Look at the camera angle; the member cannot complain.

**Mr. Laughren:** It is a great camera angle. I did want to make some very brief comments on this bill, partly because I began my political career in this chamber in 1971.

**Hon. Mr. Bradley:** The member must have been 21 then.

**Mr. Laughren:** I was a boy legislator. I can recall being engaged in this kind of debate, not here but out in the hustings during that 1971 election. I certainly recall those days. Having being elected in a basically Catholic, Franco-Ontarian riding, I have no hesitation in rising to support this bill.

The puzzling part of what has got us here today is the way it has unfolded during the past year. A lot of us were greatly puzzled on June 12, 1984, a year ago, when the then Premier stood in his place in this chamber and announced the change in policy. I never understood the dynamic that brought him to that point on that day until I read Claire Hoy's book on the Davis years called *Bill Davis, A Biography*.

**Mr. Haggerty:** He convinced you.

**Mr. Laughren:** Claire Hoy and I have always been close.

I want to read a little from the chapter entitled "Cardinal Blessings," which deals with the separate school issue. I never thought I would be standing in my place and quoting Claire Hoy, but here I am.

"In May 1984, the Davis inner circle met for a strategy session and whether to call a snap election....It was at that session that Davis dropped a bombshell. Shortly after regaining his majority in 1981, he had held his annual pre-Easter meeting with Roman Catholic officials. What made that meeting different was that he had promised Cardinal Carter that during the life of the current government, he would end a 110-year-old dispute by extending public aid to Roman Catholic separate schools beyond grade 10 to grades 11, 12 and 13....

"'Everybody was absolutely stunned,' says one of those at the meeting. 'He'd done it completely on his own hook. So everybody convinces him he'd better go and see the cardinal and make him understand this isn't the time to do this at the start of a campaign because it could hurt him politically and could drive up sectarian divisions when the Pope was arriving. You know the classic Bill Davis approach: 'We're making progress; it's the reality, not the smoke and mirrors, that matters.'"

"So off Davis went to explain his predicament. But this time the cardinal, whom the opposition consistently accused of being too cosy with Davis, with considerable justification, wasn't buying. 'He told Davis he was shocked he tried to renege on a deal. He said he was a man of his word, a man of honour, and he couldn't believe he would back out. And then the cardinal hit him with the big stick and said, "If you want to run an election without keeping your word, count on having opposition from every pulpit in every Catholic church in Ontario." Well, Davis just folded like a three-dollar accordion.'—Is that not a beautiful expression?—"That is why there was no election. Nobody will talk about it, but that's what happened.'"

Who knows for sure, but there are quotation marks in that section from Claire Hoy's book, *Bill Davis, A Biography*, and it surely was a strange time in 1984 when that change was announced.

What we have seen since that time has reinforced the strange feelings within the Conservative Party, both in its failure to put it on the agenda during that last year and then the strange messages and vibrations that have been emanating from the Conservative Party in the Legislature since the May 2 election, a lot of qualifying comments having been made.

We are here tonight and we are going to vote on this bill. I presume it is going to pass with a considerable majority. I came to the decision to support this, not simply because it was the policy

of this party back in 1971, but also because when I thought it through, there were a number of things that had convinced me over the intervening 14 years to vote this way and to debate this way.

There was the question of the British North America Act and the guarantees that were made to the minorities in Quebec and Ontario. That was an important component in bringing us together as a country.

**9:10 p.m.**

There was also the reality of 1985, or in those days of 1971. The reality is that there are two systems and the point is the two systems are thriving. We are not going to do away with one of the systems. If we are going to have two systems, why not make them equal? It does not make sense for one to be less than the other. To presume that someone could do away with the separate system at this point in our history is downright silly. If one agrees we are going to have both systems, I do not know how to justify not having them equal.

There is no change in principle. That is what bothered me about the debate in the last year. The support is already there up to grade 10. It is not quite equal for grades 9 and 10; nevertheless, there is public support there. We are not talking about a change in principle here; we are merely talking about extending an existing principle. That seems to make sense to me. It is not something we should be trying to divide people over. The principle is already there and well established.

I am concerned about small communities. My colleague the member for Algoma (Mr. Wildman) made the point extremely well. It applies not only to this bill, but it applies to the French governance bill too. There are very serious problems there. I could not support the French governance bill in its present form because of what it does to a public board in a community such as Chapeau.

I do not know whether the minister is aware of that, but it would give dominance to one sector over the other in a community such as Chapeau. That simply would not be accepted in that community; it would be divisive in that community. That bill needs to be amended before it is brought in. There simply is no question about that.

I would not be supporting this bill if it did not provide job protection for people in the public system. It does provide those guarantees and that is terribly important. Of course, there is the question of right of access. That is of utmost

importance when there is a publicly funded system.

For those reasons, I will be pleased to stand in my place in about an hour in support of extending public aid to the separate system up to the end of grade 13.

**Mr. Pope:** It is a privilege to join in this debate. I will be very brief. I just rise to talk about this issue because in certain aspects of this issue the government has not been particularly forthcoming. I felt it appropriate at this time to put some of these issues on the record.

**Mr. Haggerty:** Where has the member been for the last 12 months?

**Mr. Pope:** I have been in the same place as the member has probably. He might find this interesting because he was part of the organization whose leader during the course of the last election campaign, specifically in Windsor on April 19, told the people of Ontario, irrespective of what the Court of Appeal or the Supreme Court of Canada decided on the constitutional reference, his party was going to amend the legislation or go for an amendment to the Charter of Rights or put in a notwithstanding clause and proceed with the funding.

That is fine. That is a legitimate position to take. But they now are proceeding with a constitutional reference that will put everyone in this province who has an interest in this matter to considerable expense in a three-year process. They know it will be a three-year process with no result other than that they will amend the legislation or the charter or put in a notwithstanding clause to accomplish the same purpose.

Have they been up front with the people of Ontario about the constitutional challenge issue when they are going to change the legislation anyway and when the member's leader said in Windsor on April 19 he was going to do it? He expects the trustees' organizations, the parents' organizations and the school boards of this province to engage lawyers in a three-year process at cost to themselves on a constitutional reference when he knows the majority of opinion on this constitutional issue is that this bill is constitutionally valid and need not be challenged by the government in the courts.

**Hon. Mr. Bradley:** That is nonsense.

**Mr. Pope:** Is that right? I think the member had better go back and read Hansard again.

The only issue I am rising to talk about tonight is the fact that this government does have a policy it now refuses to state in the Legislature. They are going to proceed. That is a legitimate decision for



the government to take. However, they are still initiating the constitutional reference on this issue when there is no legitimate need to do so. They are going to amend the legislation, put in a notwithstanding clause or seek an amendment to the charter to accomplish the same goals.

Why can the member not be up front? His leader said point blank on April 19 in Windsor this would be the Liberal Party's policy when it formed the government. That is what he said. The government has tried to skate around it. That is its policy. That is what was said in response to the students in Windsor on April 19. That is what was reported in every paper in southern Ontario. Yet the government is proceeding to initiate the constitutional reference and it says the court should start to decide it by September. It has been very cute with that.

The member knows full well the government must prepare its factum. It must advertise the fact that this reference is taking place. It must give time for others who have an interest in this matter to prepare their briefs for the Court of Appeal. All parties have a right to be represented at that court and will make representations there. That decision will ultimately be appealed to the Supreme Court of Canada.

It is an expensive three-year project this government is undertaking for no purpose other than to lay a judicial smokescreen over a political decision. Let us admit it is that. Let us admit we are going to go ahead and fund in any event, despite the constitutional reference, and if there are challenges, use the constitutional reference as a defensive mechanism to expedite the process of a hearing before the courts, instead of initiating a reference and trying to pretend, as the government has in response to questions in the last two weeks, it will await the outcome of the court's decision and then decide what to do.

The policy was clearly stated by the Premier (Mr. Peterson) in Windsor. The government is going to amend or put in a notwithstanding clause and proceed in any event. All I am pleading for is that the government not abuse the courts in this fashion. Do not mislead those who have an interest in this matter in this way. Do not put them to this expense. Do not put them through a three-year process when the government knows what the final result will be.

**Hon. Mr. Bradley:** Nobody knows what the member's party's policy is. It has been all over the map on this issue.

**Mr. Pope:** Our policy as a government was not to initiate a constitutional reference. The members opposite know it and I know it. I

support this bill. I am going to vote for it on second reading, but members opposite have misled the people of Ontario with their policy on the constitutional reference.

**The Acting Speaker:** Order. I believe the word "misled" is not allowed. Would you retract it?

**Mr. Pope:** I am sorry, I did not say they were misleading the House. I said they misled the people of Ontario.

**The Acting Speaker:** Do you wish to retract the word "misled"?

**Hon. Mr. Nixon:** Mr. Speaker, on a point of order: I have never heard the argument put by anyone who is used to the practices of this House that the word "mislead" could be used in direct reference to a member of the House when it refers to the people or the members of the House or the community at large. According to its practices over many years, I do not believe it is permitted in this House for an honourable member to refer to any other honourable member as having misled anybody.

**Mr. Pope:** Speaking to the point raised by the House leader, I clearly said that during the election campaign the people of Ontario were misled on the constitutional reference issue.

**Hon. Mr. Nixon:** You did not put it in the passive. You put it in the active. Substitute something else.

**The Acting Speaker:** As you know, I am being initiated in this role.

**Mr. Pope:** Let me help you. I will withdraw the word and substitute "misinformed."

**The Acting Speaker:** Thank you very much.  
9:20 p.m.

**Mr. Shymko:** Mr. Speaker, I know you have been initiated tonight in your role, and it has been in the context of a great deal of eloquence, participating in one of the most historic debates that has ever been heard in this Legislature.

In a general and universal manner, I would like to address the whole issue before us and the tragic irony that has surrounded it. On June 12, when the former Premier announced his decision to extend funding to separate schools at the secondary school level, it was greeted by all members of the Legislature, by both the leader of Her Majesty's loyal opposition and the leader of the third party, with such eloquence that rarely in the four years I have been in this House have I ever heard such eloquent compliments showered upon the Premier.

Never have I sensed such unanimity and solidarity in this Legislature as in support of that decision, because we all perceived at the moment of that announcement that the issue was a noble issue that historically, with the courage of the Premier, addressed a fundamental inequity that had been with us for many years. It was an issue of justice, tolerance and acceptance of diversity and pluralism in education, one of the main institutions in our society, from the point of view that diversity and pluralism was a blessing and not a curse on society.

Yet what tragic irony that the very individual, the man who presented this noble cause and led this noble issue, came to be compared to Hitler, or if I may be more specific, came to be compared to the process used by Hitler in the introduction of his type of regime in Nazi Germany.

What tragic irony that a man who had contributed a quarter of a century to public office had to retire with this type of insulting—if I may say it—reaction on the part of many in society, especially those whose profession and work one would qualify as being noble.

I know there are reasons for this, but the tragic irony is that the strongest opposition to this policy came from those in the noble profession of moulding the hearts of people, of promoting tolerance and harmony in a society and country that has been blessed with harmony and tolerance. The opposition came from the noble profession of teachers, those who mould the minds of our new generation, teachers who perhaps would have been expected to welcome the nobility and courage of this historic decision.

I refer obviously to the federation of the teaching profession that referred it for a constitutional challenge and, I would not say violently but very aggressively, campaigned during the election against a policy and program that had the support of all three parties and all members of the Legislature at the time of its announcement.

It is obvious there must be reasons there is such a tragic irony that those who opposed it most violently are those who would have been expected to have welcomed such a noble cause.

I recall reading an article by the editor of the religious section of the *Toronto Star*. I do not recall the exact date and I do not have a copy of that particular article, but it tried to explain the reason why, ironically, those who are charged with spiritual guidance and with the spiritual side of human existence reacted the way they did. The reason given in the explanation of Archbishop Garnsworthy's very strong statement was that

education had in the past number of years been secularized to the degree that many other religious denominations did not have the opportunity of pursuing the same options as the Catholic population in Ontario and that perhaps we should look at some solution for providing that type of equity, that type of similar public funding to others who are concerned about the values in education and who may also want to promote, in the same manner as had been done for years in the separate school boards, the concern for certain values or certain approaches.

That is why, in our bill, in addressing the answer to that dilemma, in acquiescing to the concerns so strongly expressed by spiritual leaders in this society, we should take into consideration what the Shapiro commission will eventually present. We cannot divorce this legislation from the implications it will have, the continuing concerns that diversity and pluralism in society have to be perceived as a blessing and that educational institutions will have to reflect that in some way.

There is a definite relationship, in the wisdom of the Minister of Education, between setting up the framework for this legislation and contemplating the long-term implications of another decision that will probably be made some time in the fall when the Shapiro commission presents its recommendations to the government on how we can resolve the dilemma of allowing for that diversity, allowing for that pluralism to be reflected in major institutions, such as the educational institutions of this province.

I was a teacher for more than 12 years prior to venturing into the educative process of becoming a politician—a process, I am sure, that will continue for many years if I am blessed to serve the people of Ontario in my riding. The teaching profession may have reacted as strongly as it did because of the nature of the job, which is one of security. I cannot think of any profession so security-oriented as the teaching profession. Under the conditions of declining enrolment and some of the problems that have been faced in that profession, there had been a genuine concern about the impact on jobs and job security in the implementation of this policy.

I tried to argue during the election to convince my constituents that there had been a public debate, that public discussion had been around on this very issue for many years—as the member for Kitchener-Wilmot, the Minister of Community and Social Services, had expressed in his comments—and that the Commission for Planning and Implementing Change in the Gover-



nance and Administration of Secondary Education in Ontario had held public hearings to discuss the concerns that teachers had expressed.

What I perhaps did not understand is that the discussion that was really lacking, the vacuum that existed, arose because the former Premier made an announcement of implementation prior to discussing the very question of whether there should be implementation. Discussing the process of implementation is quite different from discussing the whole issue of whether we should implement the policy.

**9:30 p.m.**

The ultimate tragic irony is that there are those who feel this issue was a critical part of the reality of May 2. I know the concerns when governments go through the type of process that the last government has gone through. There is a search for the reason that the results of May 2 have decimated our party to the degree they have.

I am deeply concerned about pointing to this issue as having led in a main way to the present reality, where the Liberal Party has formed a government and our party is on the opposition side. When we start politicizing the issue by seeing it as a political cause of things we see today, I think there is a danger it may in many ways deform the noble aspect of what the Premier originally intended this to be.

I will tell the members about the teaching profession. In the years I served as a member of that profession, for one reason or another one did not find many Tories among secondary school teachers. I listened to the remarks during the debate by the member for Welland-Thorold (Mr. Swart) who implied that the members on this side of the House had been politicizing this issue. During the election campaign, when the Ontario Secondary School Teachers' Federation, a unionized profession, strongly and adamantly attacked this issue, I did not see the members of the third party strongly defend the policy in the terms in which they are defending it today.

**Mr. Allen:** On a point of privilege, Mr. Speaker: The member was not present in many constituencies and did not see us doing it.

**Mr. Shymko:** We may try to search in retrospect for answers and reasons as to why things happened the way they did. However, I think it will be a tragedy for this debate if we try to imply that an issue and policy that has united us is today disuniting us or that it has implications of disunity for our society in this province, implications of harm and the creation of intolerance by stressing that diversity and pluralism may not be a blessing but a curse on society.

I support the bill. However, I do ask the Minister of Education (Mr. Conway) to take into consideration what will happen when the Shapiro commission reports, because there is a direct relationship between what we are doing today and what we will eventually be faced with doing when that commission reports, in terms of going in the direction of diversity and pluralism in education as it applies to private and independent schools.

I compliment the members of the standing committee on social development who will be sitting through the summer listening to presentations, petitions and briefs from the public. They are under the capable leadership of the member for Scarborough West (Mr. R. F. Johnston). I had the honour of serving with him on that committee during the past four years. I compliment the ability of those who are members of that committee.

I thank the members for the opportunity to address this very important issue and to point out the tragic irony to which it has deteriorated.

**Ms. E. J. Smith:** Mr. Speaker, it is my pleasure to have this opportunity to address the Legislature and you in your present capacity, and to compliment you on your position.

It is my particular pleasure as the member for London South to address this question of education for the separate school system. As the members will recall, a previous member from London, albeit from London North, the late Premier John Robarts, probably took the first major step in recent years in looking at the financial situation of the separate school system.

In 1963, under the Ontario foundation tax plan, he addressed the fact that there was a great inequality in funding for the education of a certain portion of our young people. I have taken the opportunity to re-read his words at the time. I would remind members that he did not speak primarily of the history, although he knew well the history of the separate school funding; nor did he speak primarily of the constitutional rights, although he knew well the constitution of the country. He spoke primarily of the needs of the children of the province and to the importance of seeing that each child in this province received a properly-funded education and therefore the best education to equip him or her for life.

He spoke, as well, of the province's need to have well-educated children, so these children might grow up into the kind of adults who contribute to the life and welfare of the province. I am happy to report that I recall that people accepted this by and large with very good grace,

and that very shortly, what he put forward in equalization of funding became an unquestioned part of our economic system that no one ever considered holding hard feelings about.

I look about me today and I feel confident that a year or two years from now we will say the same; that this province is ready to look at the needs of the young people and to look primarily at what we can do for them in the use of their education and what later they will be able to do for us as adults in this province.

I am happy also to serve under our present House leader and Treasurer who in 1969 was willing to put his own political career at risk in order to support the extension of funding that he believed would be good for the province. He recognized the same thinking as that of the late Premier and spoke to it then.

Now, we are fortunate in this Legislature to all be willing to work together towards a happy solution in this problem. We have all lived to see the extension of Catholic education downward to kindergarten and pre-kindergarten. In fact, when my children went to separate school, we took for granted that they did not get kindergarten in that system, but the province saw in its good grace that these children should have what the children in the public school system had. There was no great kerfuffle at that time; I doubt that most of us can even remember the year in which that happened.

I think the reason there is a difference in the emotional structure this time is because of the teachers' needs to be secure in their positions and in their rights. I trust our Minister of Education and those working with him on the committee will assure the safety of these teachers in their rights, their seniority and all the other areas that are so important to them. In that way, they will assure that this funding, as has previous funding, goes through in this province leaving not any bitterness, but rather a good feeling for everybody that we, indeed, are mature, sharing and responsible people.

As the government whip, I am happy to report as well on behalf of our one member who is away on government business and unable to attend, the member for Grey-Bruce (Mr. Sargent), that this party is fully in support of the motion in front of us and that we will, I assume and presume, be supporting it unanimously upon division.

9:40 p.m.

**Mr. Jackson:** It is a privilege to participate in this historic debate on perhaps the most significant piece of education legislation in this House in many years. Personally, it is somewhat of an

emotional moment for me, after having spent nine of some of the best years I have had as a public school trustee with the Halton Board of Education prior to coming to this House. In the short time I have been here, I have been most impressed with the calibre of the members of this assembly. They very clearly share a deep and abiding love for the growth, education and hopes of all the children of this great province of ours.

I want to address my initial comments to the Minister of Education. I want to congratulate him on the care he has shown in the introduction of Bill 30. The open public hearings and the expected amendments to the general legislative grants, allowing separate school boards to plan for the implementation of extension to secondary school education, should do much to allay the anxieties of both its supporters and its critics.

At the outset, I want to state clearly and unequivocally my support in principle for Bill 30. Any comments I may make in this Legislature or in any other forum will be to suggest improvements to this bill. To my colleagues in the Legislature who have spoken in the debate, I congratulate them on the temper of their comments and their sincere attempts to bring to the attention of our Minister of Education both their support and their concerns. I have benefited from their comments as they have broadened my appreciation of the complexities inherent in this bill.

I am also pleased that the debate so far has largely avoided partisan politics and the inevitable scoring of debating points. This attitude will do much to assure the public of our deep conviction in the viability, integrity and continuing commitment of public education. We all have every right to be proud of our educational system. We have the best-qualified teachers in the world, a broad offering of programs to all our children and magnificent facilities, equipment and teaching materials. None of that should be adversely affected by the passing of this bill.

The member for Windsor-Riverside (Mr. D. S. Cooke) has brought the attention of this House to our tardiness in bringing this issue before the Legislature. Perhaps there should have been immediate debate on this issue after the June 12 announcement. However, what point is there in harping on what might have been? Let us, together, look ahead to what we can do.

I was very interested to hear the comments of the Minister of Community and Social Services. Like me and many members of this Legislature, he has had a great deal to do with Ontario's school system. He brings to this debate great



knowledge, understanding and conviction. The minister reminded us last evening of a few facts about both the separate school system as we currently know it and the issues surrounding this whole debate. His comments were refreshing.

The Minister of Community and Social Services noted that in the elementary school system there has never been, and there is not now, guaranteed access to separate schools for children of parents with another or no particular religious affiliation. The question arises in my mind as to whether the analogy to the elementary school system is appropriate. We have not had a history of parallel separate and public schools. We need to carefully explore ways and means to use our existing facilities to avoid unnecessary major expenditures. I for one am not about to repeat history. We are now making history.

I listened intently to the comments of the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson), who spoke about the uneasiness of the commonly held concerns about the implementation of this bill. I assure him that at least this member of the standing committee on social development will ensure that each and every one of these implementation issues will get a fair hearing. I am pleased at his support for this bill.

As a member of the standing committee on social development, I can assure members of the Legislature that I have an open mind on the issues that will be raised. I trust all of us will listen to the variety of views which no doubt will be brought forward at all the public hearings. To do otherwise would make a farce of that process and the deliberations of this Legislature. My constituents in Burlington South would tolerate no less. They expect me, along with all the members, to be thoughtful, rational and accountable for our actions.

As we proceed through the various but necessary steps to give royal assent to Bill 30, I ask members of the House to keep in mind two overall objectives of this legislation. The first is to ensure that there is a smooth transition to the extension of a fully comprehensive, separate secondary school system. The second is to ensure the viability and integrity of programs in public secondary schools that have been buffeted by declining enrolments and now by a transfer of students to the separate secondary school system.

From my discussions with a number of people across the province, I have gathered there is a general feeling that major urban centres with large student populations will not be as adversely affected. However, it is my understanding that

rural and northern school boards will have serious difficulties operating secondary schools.

As well, I am concerned that the viability of French-speaking secondary schools be maintained so the goal of preserving French language and culture not be compromised. It is my intention, as a member of the standing committee on social development, to request the staff of the Ministry of Education to table in the Legislature its report on the analysis of the effects of Bill 30 on the programs available to students in both the public and separate school systems as well as on the preservation of viable secondary education for French-speaking students.

I want a professional opinion from senior educators, devoid of politician partisanship, to assure the public that we have made a decision on reasoned and balanced grounds.

As the public hearings proceed, I will be particularly interested in views expressed on matters that still need clarification. These questions include: Does the bill ensure sufficient phase-up costs for separate secondary schools and phase-down costs, where necessary, for public ones? General legislative grants will need to embody the concepts of phase-up and phase-down costs, which are above and beyond the normal grants.

It has been brought to my attention that in a number of coterminous jurisdictions, students are not being adequately informed of programs in both public and separate schools. To the degree that this is accurate, it is an unacceptable practice. Students must not become pawns in the hands of school boards, which are empowered to offer programs. Students then make choices of those, and intelligent choices cannot be made without information. Steps may have to be taken to ensure, in legislation, that dissemination of information to students will not be compromised.

Another question: Do we really need a planning and implementation commission? Moreover, will it still be appropriate? We have some of the best talent in the province within the Ministry of Education. If this commission is a duplication of the kinds of services already available through the ministry, not only will it be an unnecessary cost but it will also be a lasting burden. This is the area of fiscal experimentation in this legislation that should be of concern to every member of the Legislature.

On this point, one example is the question of who should decide what type of school a student shall attend if there is a transfer of facilities. I would feel much more comfortable if parents and students could appeal to an independent and

locally based tribunal with public accountability. This is not a foreign process to our educational system, as our minister knows. I am referring to the current method by which disputes involving exceptional pupils are decided.

**9:50 p.m.**

I have a further concern, that the deputy minister and his staff may become so removed from school boards that when the commission disappears, so will that intimate knowledge, an absolute necessity for this Legislature to be assured that its policies are being implemented by school boards along with recommendations for adjustments to the act and regulations that need further refinement.

I am most concerned about the powers of the commission to establish guidelines which will have the effect of ministerial directives. This power rightfully belongs under the control of the Minister of Education. In my opinion, there should be no directives without ministerial approval. I have some serious reservations about potential delegation of powers of this magnitude by the minister. This should be a fair and judicial process with a sensitive appellate mechanism.

I will be very interested to listen to the views of the public and the trustees they elected to represent them on this issue during the public hearings in the next few months. I will need to appreciate more fully the concepts of limited student accessibility to either of the two publicly funded school systems. I have always viewed public institutions as being free and open to all. The concept of limited openness of publicly funded institutions is foreign to my way of thinking.

If there are practical reasons for limited accessibility and we can rectify the inherent problems over time, then we should do so. The concept of unlimited openness is part of my philosophy and belief in a democratic government. However, I intend to be open-minded on the question and attempt to appreciate the government's view on limited accessibility to both the public and separate secondary school systems. As well, I will ask the members of the standing committee on social development to interview educators in Saskatchewan and Alberta on how they have dealt with this important issue.

There are other matters that will need to be clarified and perhaps changed if Bill 30 is to be an effective piece of legislation. There is not the slightest doubt in my mind that this will happen in a logical and orderly manner, as there is an overwhelming desire by almost all members of this Legislature to enact Bill 30. As I have stated

previously, I intend to listen carefully to the concerns of the public during the hearings and elicit solutions to those concerns. If the remedies suggested are reasonable, I will support them.

I congratulate my colleagues in the Legislature on their positive attitudes in the debate and exhort them to project that positive image to the public in order that it is assured of our intentions to act in a responsible and nonpartisan manner in the continuing evolution of publicly supported education in Ontario.

**Mr. Rae:** It is a very real pleasure for me to be able to wind up the debate for our party on the question of the extension of public funding to the last few years of high school for the Roman Catholic separate school system. In the time available to me I want to talk about the recent past, the present and the future.

There has been a tremendous tendency in this debate, as is perhaps natural, for us to reflect on what our great-grandfathers may or may not have done, what our grandfathers and parents may have done and what we did when we were going to school. It might be wise for a moment if we spent a little more time in this Legislature talking about the future of education.

Having taken what I and many of us feel is a step to right a historic injustice, we now have to reflect on public education, broadly defined as the two great strands of education in this province that have been publicly funded since Ontario was born. It is important for us to spend considerable time talking about how we can make those two strands work together and co-operate and how we make sure that we in our own time, in the 1980s and 1990s, can be innovative and creative in bringing communities together to ensure that we provide the best possible education for all the people of this province, which I am sure all of us will agree has to be our common objective.

Perhaps I can emphasize this theme for a moment and say to the minister that when I talk to the parents in my riding and go into the schools in my riding, whether they be Catholic or public elementary schools, public junior high schools or high schools, whatever they may be, the issues that comes to mind are not the issues of religion but the questions of literacy, opportunity and quality of education. It is problems of class size and problems of kids who are going through school not having a chance to learn the basics and in some cases not learning the basics.

I see the Minister of Housing (Mr. Curling) nodding his head. He knows what I am talking about. He knows there are many people who have made Ontario their home, and whose



parents have chosen to make Ontario their home, who are going through the school system and not getting a chance and a fair break.

I will be quite blunt with the members of this House. As leader of our party, I am far more concerned that, whether these children are educated in the Roman Catholic secondary school system or the public secondary school system, we have a job to do to make sure they have a chance and are educated with a chance to learn and to grow in the world. We have to do more to stop the high drop-out rate in many of our school systems; it certainly is a problem in the city of York. We have to do more to address the fundamental problems of literacy, of numeracy and of giving every kid a chance to learn and a chance to know how important and how wonderful learning can be and the opportunities it can bring.

Education has made a difference to every one of us in this House; it has made a difference to all our families and to all of us. We have a very special obligation to deal with this issue in a way that shows the compassion and tolerance that by and large has been shown in this debate.

If I may say so, we have an obligation to move on from questions of language and religion to say: "Regardless of which school system you are being educated in, regardless of whether you are being educated in English or French or one of the heritage languages, we have an obligation to see that system is funded well, generously and effectively and that teachers are given the best possible chance and the best possible conditions in which to live, provide an education and do a much better job of ensuring there is a real connection between the world of learning and the world of work and employment."

I see the high drop-out rate in many of our high schools today and I worry for the future of this province. I know the Minister of Education does too. I see the way in which, in so many school systems, teachers who want a chance to do a better job cannot because of the overcrowding and the underfunding. These are problems we have to address. These are the issues of the 1980s and 1990s that should be preoccupying us and have to preoccupy us in the future.

It is the integrity of a system, public education broadly defined. The integrity and quality of that system have to be our preoccupation. In a sense, I start the debate by talking about the future because if we allow ourselves simply to get enmeshed in what may or may not have been the Tiny township decision in 1926, in what Mitch Hepburn may or many not have tried to do in

1937, or in fighting again the battles of 1971, we are not doing the job we have to do.

**10 p.m.**

We have to reflect and think more about the future as well as doing more about it. The member for High Park-Swansea (Mr. Shymko) said he did not hear very much about this issue during the election campaign. I am sorry he did not have a seat on my bus—no, I am not sorry he did not have a seat on my bus—I am sorry he was not at more meetings, because I can tell him there was not a day went by when I was not asked a question about separate school funding. All of us were asked that question every day.

I said at that time I believed it was important for us to fund both systems that have historically been publicly funded on an equal basis. The day has to end when one system takes a back seat, when one system is funded in a way that is not as good, fair or effective as the other.

My principal reason for feeling that is twofold. First, we have to right a wrong; we have to end the discrimination that has been built into the system. I am going to come back to that. Second, the only way we can ensure real co-operation between both school systems is if they are funded on the basis of equality.

When we talk about sharing facilities, joining together in joint ventures and looking at ways of working together to create new programs, which I hope will be very much a possibility in the future, that can only happen, and we all know it, if those two systems realize they are equal, that they are being funded on the basis of equality and that it is not a question of one going cap in hand to the other saying, "Can you give us a break?"

It is a question of two systems coming together and recognizing that we have a lot to learn from one another in this province. If we have a lot to learn from one another in this House—and Lord knows that is true—we certainly have a lot to learn from one another in the province. That is the kind of co-operation I want to see in the future.

I want to talk about the distant past and the recent past. One of the things that has disturbed me more than anything else about the debate that has gone on in this province since the former Premier made his announcement at the end of June 1984 is the way in which opposition which pretends to be opposition to extension is really opposition, root and branch, to the idea of a separate school system in the province. I think all of us have a tremendous job of public education to do.

I go back to my own riding and meet, as I do regularly, people on the street or people coming

into my constituency office who say, "I want to express a view on this, Bob. I am opposed to a special deal for the Roman Catholics." I say, "Do you realize we have had two publicly funded educational systems in this province, not since Bill Davis stood up in this House, not since 1971, not since 1926, but since 1840?"

That is the reality of Ontario. That is the history of this province. and it is the history of this country. To pretend we can somehow create a school system in 1985 out of the air, out of some kind of rationalist abstraction, and not recognize we have a history of religious communities in this province, a history of linguistic tradition and communities, is nonsense.

I say this as the leader of a social democratic party. People say, "Mr. Rae, how can you as a democratic socialist support the idea of funding for a religious school system?" I say to that as clearly as I can, "As a social democratic leader of this party in this province, I accept the diversity of this province. I accept the reality of a multicultural province. I accept the reality of a Catholic school system and a Catholic tradition in this province."

We want that tradition and that part of this province to feel as much at home and as much a part of the life of this province as any other community. It is time we righted this system, put it right after 140 years and made sure it is funded on the basis of equality. It is time we did it.

We argued that. Our party went through the agony and ecstasy of an internal debate in the 1960s, as did other parties. We came to the conclusion in 1971 at our convention at that time that it was important for us to come together as a province and recognize these traditions. We all know what happened in the 1971 election. I certainly do not intend to fight that election over again. I do not think that will help matters at all.

On reflection, looking back over the last year, all of us would wish—I certainly wish—that things had taken place a little bit differently. It would be silly to pretend that the process has been 100 per cent wonderful and great. It has not. It has been, if I may say so, a process that is imperfect. In my judgement, it is regrettable that this debate did not take place earlier in this House. I think we all would have been better off if it had. The sense of due process would have been better served if it had.

Having said that, let me make it very clear, as far as I am concerned, this is not a partisan issue. On the whole, the route the government has chosen to go under the circumstances is the fairest route in which to proceed. I am going to

deal with that in a moment. Mr. Davis made the historic decision in June 1984. I think it is only right that we proceed in September and move to implementation, as all parties felt it was right for us to do back in June 1984.

I have heard the members of the Conservative Party, in particular the member for Cochrane South (Mr. Pope) tonight, say there is something improper in a reference to the courts while the matter is being dealt with in the Legislature. I do not agree with him. Given the situation we are in, I really do not know what the problem is.

When one considers what we all know, that the Ontario Secondary School Teachers' Federation and a number of other school boards were going to take the matter to court anyway, there is no way we can avoid the courts. Surely we would be more likely to avoid a court decision if this Legislature said: "Here is the reference. Let us deal with it. Let us get it on quickly rather than force it to go through trial, then to the Court of Appeal and then to the Supreme Court of Canada."

We all know the courts are going to be involved. The Conservative Party knows it, we know it and the Liberal Party knows it. Surely it is better for us now to refer the matter and have the court speak and for us then to reflect on whatever that court decision is.

Having said we recognize the reality that the courts are going to speak, it seems to me to be a very important principle for us as legislators to express our opinion, to have the matter proceed and then have the decision of the courts as soon as that is constitutionally and practically feasible.

Of course, we have concerns about the legislation, such as have been expressed by the member for Algoma and many of my colleagues from northern Ontario, which I visited many times in the last year. I have been in many of these communities. I would advise the minister to go to Kirkland Lake some day if he wants to have a very interesting discussion in two languages in one school on the problems that are associated with this legislation.

There are very real problems that the committee is going to have to address. I know the planning and implementation commission has been dealing with them and is going to have to deal with them. I am glad it is a committee of this House which will be chaired, I might add, by the member for Scarborough West from our party. We are very proud in our party that he is going to be chairman of the committee.

I am glad this matter is being dealt with and listened to and that the committee itself is going



to be considering amendments in a minority parliament. I think that is the best possible assurance that the people of this province have, given the flaws in the process up until now, that we can deal with this issue, which many of us feel is far too important simply to be treated on a partisan basis, as a group in this House as fairly as we possible can. We can deal with it in a way of give and take and try to come up with the best solution.

I want to say just a word very briefly on the legislation. I know the government House leader is having a fit when he looks at the clock, but I have just a few more things to say. I have been waiting for about a year and a half to give this speech. I want to say some things about the comments that have been made about access.

All of us want to ensure that there is as much access as possible to both systems. My own judgement is that this is essential if the change is to have the kind of support from the public that it needs to have. When I talk about access, I mean access for students, teachers and other staff.

**10:10 p.m.**

Some statements have been made about access. I was not in the House then but I read the speech. I gather a scenario was presented by one member who said it would be possible under this legislation for somebody not to be able to go either to a public school or to a separate school. I say to those who have projected that kind of scenario that this is an impossibility. It is simply not on and it is not in the laws. It goes counter not only to our sense of what is right, but also to the sense of what is legal and what is the law in Ontario today.

It is not possible, even within the public school system, for an individual student to demand a place in a particular high school unless he or she is living in a particular catchment area or district. There are some practical considerations that, even within the public school system, affect the admission of students to particular high schools. Let us not forget that. Let us put that in some perspective. Let us also recognize that we and the committee are going to have to look very hard at this question of access and of ensuring access for students. It is fundamentally important.

I think the question of the rights of non-Catholic students within the Catholic system, in terms of religious education and so on, is a very difficult issue that the committee is going to have to look hard at and consider. There is going to have to be give and take on that issue as well.

With respect to teachers, I suggest that not only do we need the statutory protections laid out

in the legislation, but in my judgement, this is a chance for the government to do more in the field for which I have been arguing and carrying a torch on for some time. That is the field of early retirement.

If ever there was a time when this government could send a clear message to the teaching profession and to public schools, saying, "We are prepared to look at your pension plan and we are prepared to make some arrangements with respect to early retirement in order to ensure that no older teacher will suffer job loss and no one will suffer the difficulties of having to change from one school system to another," this is the time to do it.

This is the time to make it happen and to make it work, not only with respect to teachers but also with respect to a lot of older people who are working in the school system—custodians perhaps in their late 50s. We ought to be able to work out a generous plan from the government of Ontario that will say to people who are working in maintenance in the public school system, "We will allow you to retire earlier and we will ensure an enrichment of your pension plan to make sure that happens." I think it is a model for the rest of society and it is certainly something we should be considering.

Our party supports the legislation in principle. We will have suggestions to make in the committee, but basically the task of the committee is going to be to listen to those people who have felt somewhat frustrated by the process so far, who have felt they have not had as much of a place at the table as they would like to have. They want to have their say, not only with respect to the principle—no doubt there will be those expressing themselves from that point of view—but also to deal with some of the intricacies and some of the details of the legislation. They want a chance to be heard.

I want to give those people the assurance of this party that they will be heard, that their voices will make a difference, that we are open to amendments and that we are going to ensure in a minority parliament there will be amendments and improvements to this legislation. That is our commitment as a party that is involved in this committee and has been involved right the way through. This legislation can be changed, amended and improved, and we intend to do that. We intend to ensure that it happens in a responsible and positive way because that is the way we have approached the issue.

If I may close—

[Applause]

**Mr. Rae:** I knew that would appeal to members. I was wondering what it would take to get applause from the Conservative Party. I think I have now discovered what that is. I would have welcomed hearing from the other members of the Conservative front bench on this issue. I am sorry they chose not to participate in the debate.

I will close by saying this. It is high time a historic wrong was righted in this province. It is high time the Catholic community received the historic justice it has been seeking since the 1860s and certainly since the 1920s. It is high time we, as a Legislature, moved in a responsible and tolerant way to ensure a funding system that is fair and equal and that is based on a sense of justice and fairness to all communities in this province.

If I may say in closing, it is also high time we looked as much to the future as to the past, that we recognized there are problems that kids are having—Catholic, Protestant, Jew, Muslim or whatever—and that it is the job of the publicly funded school system to deal with those problems and to give all children of this province the kind of education that will give them a real chance in life.

**Hon. Mr. Conway:** I want to thank all members for their contributions to this debate. I have had the pleasure of hearing almost all of them. I must say I have found those contributions constructive, varied and interesting.

I have listened over the last three days to a wide range of opinions. I must say, since I have known so many of the contributors over the past number of years, that I have found in the past three days most of the interventions in this debate have been among the most interesting and memorable of my 10 years here in the assembly.

I want to pay particular tributes to my critics, the members for Don Mills (Mr. Timbrell) and Hamilton West (Mr. Allen), who opened the debate on Tuesday with their observations. I would like to touch upon some of their more salient criticisms in a very few moments.

I was listening to, among others, to my friend the member for Wellington-Dufferin-Peel, who I thought in his intervention the other night pointed out a number of concerns that ring very true with me personally. The member for Welland-Thorold, the member for Port Arthur (Mr. Foulds) and so many others intervened in a particularly positive way.

I must mention my friend the member for Carleton-Grenville (Mr. Sterling), whose opinions on this subject I know well. I consider the

member for Carleton-Grenville a friend. I know the depth of his feeling on this subject. While I do not agree with his views, I certainly appreciate the courage with which he articulated his opinion in this debate.

Speaking of this debate, I think it is useful for me to indicate on behalf of the new government that we consider this debate a very important part of government policy. As a new government, we will move forward now to fulfil our historic commitment to complete the Roman Catholic separate school system, a system which, as has been pointed out, has been in existence in this province for more than 140 years. We will do so, however, within the context of a full and meaningful debate. I want to say most sincerely to all members that they and their representations will be listened to.

As the member for Cochrane South indicated earlier tonight, it is the policy of this government that this matter will be referred to the Ontario Court of Appeal, notwithstanding our strongly held view on the basis of some very good constitutional opinion that the government's policy and initiative in this connection are appropriate and valid.

Most important perhaps, I, as Minister of Education, and my colleagues in the new government are not prepared to see thousands of young people and their education jeopardized in September 1985. It was on that basis we decided to move on an interim basis to provide funding for those approved programs in September 1985.

Separate schools and the politics and history of Ontario, of course, are a subject about which much has been said. I see in the gallery tonight Father Carl Matthews, who, if he were on the floor of this assembly, I am sure could perhaps give us a historical overview that would be most interesting.

It is a journey that began a long time ago. It began in 1841. It has had, as members have indicated very colourfully sometimes during the debate, a most interesting development. My colleague the Attorney General pointed out the other day that it was his great-grandfather who introduced some 122 years ago the very famous Scott Act of 1863 which became the basis for section 93 in the British North America Act.

**10:20 p.m.**

It has been a long and controversial journey, and we as members of this assembly have a historic opportunity to end that journey in this parliament in a very positive way, as I believe we shall. My colleagues and I view the completion



of the Roman Catholic separate school system as a matter of right and as a matter of justice.

I listened with great interest to my friend the member for Carleton-Grenville the other night, but I must say to him that the historical reality of our province, as in other provinces, is that we have had a dual public school system for a long time. We have in Ontario today, as we have had for many years, a Roman Catholic separate school system that has enjoyed public support over many grades. At the present time that system enjoys public support for 12 grades: junior kindergarten through to the end of grade 10. What we now contemplate is completing the last two or three grades in that system.

I know, because I am from eastern Ontario, that not far from me, in west Quebec, there is a high school that was developed as a result of the application of section 93 in that province, and it enjoys public support through to the end of the secondary panel.

What we are talking about in this province at this time is not something unique. As honourable members have pointed out, separate schools were an important and integral part of the deal that put this country together in the 1860s.

I would like to remind honourable members of comments made some 13 months ago by the former Premier William Davis who said: "If we are to serve the spirit and the realities of 1867, we should acknowledge that basic education was what was recognized then and that today basic education requires a secondary, as well as an elementary education. As the nondemonominational system has evolved to meet society's needs, so too has the Roman Catholic system."

In my view, that is what this completion exercise is all about.

I want in these concluding remarks to touch upon some specific issues which a number of members have addressed in their comments. First and foremost, I think it is incumbent upon me to address the question of student access, because there is clearly a lot of concern about the provisions in Bill 30 with respect to student access.

I must say to my friend the member for Don Mills that I was very concerned about the construction on this question that he raised some three days ago. What we are intending in Bill 30 with respect to student access is simply that there shall be a guarantee of access to the secondary panel and it will be the guarantee that will attach to one's tax designation. We have a situation today in our elementary system where there is duality, where there is an absolute, unfettered

guarantee of access for the children of the ratepayers where the taxes are dedicated.

Surely this is what Mr. Davis was referring to last June when he said, "While the essence of this new policy is to enrich the education resources available to Roman Catholic families in Ontario, it is my hope that the new Roman Catholic school boards will consider granting to all students and their families in the most positive way, universal access to publicly supported Roman Catholic schools, should such access be desired, limited only by the availability of space and the designation of assessment support."

I just want to make it as clear as I possibly can that what our legislation contemplates is simply that there will be a dual public school system, in the sense that there will be two publicly supported systems. People in the province will have the opportunity to declare themselves either public or separate school ratepayers and there will be a guarantee of access to that system to which the taxes are directed. That, I think, is quite a reasonable and defensible course of action.

It is, as the member for York South (Mr. Rae) quite rightly pointed out, quite impossible under these arrangements for any student not to be provided for. I would like to take this opportunity to make that as clear as possible.

Moreover, on the student access question, we are saying in this legislation that a non-Catholic student who is in a Roman Catholic secondary school, for purposes of program, distance or exceptionality, must be exempted from religious education. In fact, our legislation goes further than that. It states that if a non-Catholic seeks admission to a Catholic secondary school, for purposes of program, distance or exceptionality, that individual must be provided for.

We are very anxious to submit this legislation to constructive cross-examination in the committee. It represents the best efforts of this government in the first eight days of office and I sincerely hope and pray it will be improved upon, as I expect it will. I think we have struck a reasonable and sensible balance and I look forward to discussing those questions in the coming days, weeks and perhaps months of committee discussion.

A number of people, and my friend the member for Hamilton West was principal among these, drew our attention to the whole question of teacher and employee protection. The principle that has motivated this government in this key area is that no public school teacher or employee should be disadvantaged as a result of completing

the funding of the Roman Catholic system. Therefore, in this legislation, we have provided very strong and clear mechanisms that will provide for and ensure that protection.

Honourable members have talked about the way in which the designated list will be prepared and how people moving from that list to the Catholic secondary school system must be guaranteed their salary, seniority and benefits.

I might say, because there has been some confusion on this subject, once those public school teachers and staff employees transfer into the Catholic system, those protections will be enjoyed for as long as those individuals remain in that system. They do not lapse in 10 years.

**Mr. Speaker:** I am sorry to interrupt the minister. Do you have many more comments?

**Hon. Mr. Conway:** No, Mr. Speaker, as a matter of fact, I do not and I would beg the indulgence of the House for a few extra moments just to conclude these remarks.

**Some hon. members:** Agreed.

**Mr. Speaker:** Agreed.

**Hon. Mr. Conway:** There has been some concern expressed by members about lifestyle. I have taken advice from the Attorney General on those particular questions and I am assured there cannot be discrimination on the basis of lifestyle for any transferring public school teacher or employee as this legislation is written. However, if that language has to be tightened and clarified in committee, I am quite prepared to entertain constructive suggestions in that connection.

It is very important for this Legislature and the great province beyond it to look and see what has been happening in the first year of this completion. The planning and implementation commission has indicated to me as recently as this week that there is a lot of good news, that there has been a very good attitude adopted by Roman Catholic school boards right across the province and they have accepted all the conditions set in this legislation. That is the practical reality of our province, a province of generosity and sensitivity.

**10:30 p.m.**

I know the way ahead may be fraught with difficulties, but I look to the practical reality of 1985 and take a very considerable encouragement about the capacity of this province and the people in it to adjust responsibly to the reform we are now contemplating.

The viability of the public school system is a subject about which there has been a lot of interest and concern. In the sense that I now

speak as the member for Renfrew North, I know only too well what it is that the member for Wellington-Dufferin-Peel identifies when he expresses concern about single-school communities, because that is the reality of my constituency.

I want to make it very clear that it is the view of this government that, while we will go forward and discharge our historic commitment to complete the public funding of the Roman Catholic separate school system, we will do so within the context of a very strong, positive and modern public education system in this province. I think that is a very important benchmark to establish early in this debate.

In that connection, I would indicate that there will be no plan for completion approved without the planning and implementation commission and, perhaps more important, the minister satisfying themselves that what is being done in completion will not create difficulty for the public school system.

I think the generous accessibility posture the bill adopts will help the public education system in this connection. The legislation speaks to fee-back arrangements that are going to allow for a considerable transfer between systems. We expect there will be, and the planning and implementation commission has made it clear that there is great interest in, a purchase-of-service arrangement in many communities and many school boards. Those are the kinds of creative resolutions I expect to see adopted in the coming years.

I want to reiterate that this government is prepared to allocate special funding for public boards to help those boards buffer the nontransferable costs.

The member for Don Mills quite rightly pointed out the other night that there must be a keen appreciation on the part of this Legislature and this government to ensure that those funds are adequate. I will give him my personal undertaking that we will not see public education put in a difficult or compromised situation as a result of this completion.

The member for Nipissing (Mr. Harris) indicated in his remarks tonight why the legislation did not contemplate more co-operative and consolidated mechanisms, about which there is quite an interest in the official opposition for reasons I appreciate. I say to my friends in the loyal opposition, as a government, we expect there will be a high degree of co-operation.

The other night I thought the member for Cornwall (Mr. Guindon) very aptly pointed out



the high degree of co-operation that exists in his great part of the province, and that is what we expect to see in a variety of other situations right across Ontario.

**Miss Stephenson:** Why do you not put it in the act?

**Hon. Mr. Conway:** I say to my friends in the official opposition, come to the committee and let us talk about ways and means to ensure that takes place. This is a government that is interested in listening and is prepared to listen to all positive and constructive suggestions. I reiterate the position taken by the previous government that we expect there will be a maximized use of current school facilities and capital plant. I think that is going to be important in the coming weeks and months.

Finally, I would like to turn to the question of the role of the minister and the government. The member for Burlington South (Mr. Jackson) indicated earlier this evening that he was concerned about the role of the planning and implementation commission and why there was not more ministerial involvement. I think that deserves an answer.

I have been very impressed by the work that has been accomplished on our behalf by the planning and implementation commission that was so wisely struck by my predecessor the member for York Mills (Miss Stephenson) some 12 months ago. She struck early and she struck well when she established that group of people. I have been very impressed by the efforts they have expended and the success they have achieved. The reason this legislation contemplates the continuation of the planning and implementation commission is that they have been sensitive and successful and able to work out good local solutions. I am anxious to see that continue.

There is a role for the minister and the government from which we are not prepared to retreat. No plan for extension is going to be approved without the minister. As the legislation makes very clear, the minister and the cabinet will be the court of final appeal for a series of issues that are up for negotiation between the two boards.

In conclusion, I have enjoyed the debate; I have profited from it. As a new government, we are committed to proceed in a sensible and sensitive fashion. I want to associate myself entirely with the remarks of the leader of the New Democratic Party that as we go forward to right an ancient wrong, to set to rest one of the oldest and most divisive public policy questions in the

political history and culture of this province, we must now begin to look to the future and how we can develop an educational system that speaks to today and tomorrow. That is the expectation of our electors and our community.

I look forward to the coming weeks and to a debate that will help improve this legislation. I look forward to a creative dialogue that will see this reform accomplished in a way that makes for a stronger and better public education system, and I look forward for this debate to be accomplished with a minimum of rancour and a maximum of the generosity of greatness for which this province is so well renowned.

**10:40 p.m.**

The House divided on Hon. Mr. Conway's motion for second reading of Bill 30, which was agreed to on the following vote:

#### Ayes

Allen, Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Bossy, Bradley, Brandt, Breaugh, Bryden, Callahan, Caplan, Charlton, Conway, Cooke, D. R., Cooke, D. S., Cordiano, Cousens, Cureatz, Curling, Davis, Dean, Eakins, Elgie, Elston, Epp, Eves;

Ferraro, Fish, Fontaine, Foulds, Fulton, Gigantes, Gillies, Gordon, Grande, Grandmaitre, Gregory, Grier, Grossman, Guindon, Haggerty, Harris, Hayes, Henderson, Hennessy, Jackson, Johnson, J. M., Johnston, R. F., Kerrio, Keyes, Knight, Kwinter, Lane;

Laughren, Leluk, Lupusella, Mackenzie, Mancini, Martel, McCaffrey, McCague, McClellan, McFadden, McGuigan, McKessock, McLean, McNeil, Miller, F. S., Miller, G. I., Mitchell, Morin, Morin-Strom, Munro, Newman, Nixon, O'Connor, Offer, O'Neil;

Partington, Peterson, Poirier, Polsinelli, Pope, Pouliot, Rae, Ramsay, Reville, Reyecraft, Riddell, Rowe, Runciman, Ruprecht, Scott, Sheppard, Shymko, Smith, D. W., Smith, E. J., Sorbara;

South, Stephenson, B. M., Stevenson, K. R., Swart, Sweeney, Taylor, Timbrell, Turner, Van Horne, Villeneuve, Ward, Warner, Wildman, Wiseman, Wrye, Yakabuski.

#### Nays

Sterling.

Ayes 117; nays 1.

Bill ordered for standing committee on social development.

## BUSINESS OF THE HOUSE

**Hon. Mr. Nixon:** Mr. Speaker, before you deem a motion to adjourn to be put, I want to indicate the business of the House for tomorrow.

We will consider Bill 15, the Creditors' Relief Amendment Act, second reading and committee of the whole; resolution 8 in the name of the Premier (Mr. Peterson), the Leader of the Opposition (Mr. F. S. Miller) and the leader of the third party; other legislation as time permits, and third readings. At that stage, His Honour the Lieutenant Governor will be asked to attend the House to bestow royal assent.

**Mr. Speaker:** Pursuant to standing order 28, the question that this House do now adjourn is deemed to have been made.

## PARTY ON LEGISLATIVE LAWN

**Mr. Speaker:** The member for Sudbury has given notice of dissatisfaction with the answer to a question given by the Attorney General. The member has up to five minutes to debate the matter and the minister may reply for up to five minutes.

**Mr. Gordon:** What I am going to say this evening to the Attorney General is that his answer this afternoon was vague and less than informative. Perhaps I can refresh his memory as to the facts as other people relate them.

First, let us take a look at the Attorney General's remarks this afternoon. He said: "On that day, the St. David Liberal Association, which is unaccustomed to celebrating anything, decided to hold a celebration and arrangements were made with the Speaker's office to hold it on the lawn. The event was catered and the punch was served."

In the second part of his answer, he said: "I was the guest of honour. I made the arrangements by asking the Speaker's office for permission to have a short party between five and seven o'clock on the lawn, and that permission was granted. The food and other arrangements were made by others. I was not aware of what was arranged."

Let us take a look at that. Essentially, the Attorney General claims he did not know what had been arranged and that his association was responsible. From his remarks, it sounds like he asked the Speaker's people about having the party. I am sure they would have informed him that members do not normally hold parties on the front lawn of the Legislature. As for the serving of alcohol, I am sure they also told him that something like that would be frowned upon.

I put it to the Attorney General that he decided a party would be held and that it would not just be

a tea party, but a party with real booze on the front lawn of the Legislature. Quite frankly, if a liquor licence had been sought, we would not be here tonight. Regrettably, perhaps as a result of excessive pride, a lack of good judgement and displaced common sense, the party went ahead as scheduled.

Interjections.

**Mr. Speaker:** Order.

10:50 p.m.

**Mr. Gordon:** I cannot believe the Attorney General would not have passed on the views of the Speaker's office to his association. Given that he was breaking entirely new ground on the front lawn of this Legislature, I cannot believe no one in his association would have informed him, well before the party took place, that there was no licence. I cannot believe they would want to bring dishonour to the guest of honour, who was reputed in the papers to be the next Attorney General of Ontario.

I also want to provide to the House a conversation that was held with En Ville Catering Service, wherein it said it was informed the member did not have a liquor licence to serve champagne on the front grounds of the Legislature.

When En Ville asked about the liquor licence prior to the evening of May 29, it was informed by the member's office that they would take care of all that. En Ville was therefore shocked to hear the member informing the people gathered on the front lawn that evening that he was unable to obtain a liquor licence because he did not have the permission of the owner of the place at which it was being held.

The member referred to the problems he had in trying to obtain a liquor licence and said something to the effect that his government would change all that. Does that not suggest we may be going to have beer in automobiles now or perhaps out on the streets? Nevertheless, we will not get into that.

En Ville was very upset, as it was put in a disconcerting position. It told us that by law, when liquor is served the area has to be cordoned off so it is not only not accessible to the public but also not visible to the public.

Obviously the member has not been a bit player in this drama, as he stated this afternoon. In conclusion, while the law governing the special occasion permits is not what some people would call a major law, it is a law with fines and even the threat of imprisonment attached to it. He is a lawyer, an MPP and at the time it was speculated he was to be the Attorney General.



I say again, how can we expect the people of this province to obey the laws of Ontario when they know the chief law officer of the crown arrogantly, knowingly and deliberately flouted the law?

**Hon. Mr. Scott:** Let me begin by saying that, as a new member here in the past couple of weeks, I have been received and treated by members of all parties, without distinction, with respect, friendship and co-operation. I have learned much from honourable members on all sides about conduct in the House and about the process, and I am grateful for that.

I am troubled that the question this honourable member raised—I would have expected it from none other—was raised without any notice to me, but I think I owe it to the House and to you, Mr. Speaker, to answer as fully as I can.

I must tell the House that following the election, the executives of the St. David Liberal Association and the campaign committee that had supported me sought to hold a party to celebrate its efforts. The optional locations were Riverdale Park in the constituency in the city of Toronto, Centre Island and, it was suggested, the Legislature. The ultimate plan selected, and I had no part to play in this, was that it would be held in a room in the Legislative Building and that campaign workers and friends would be invited. I am sure other members have had similar experiences on happy occasions.

I was invited to be the guest of honour. I understand no banquet permit was obtained. No fees or charges were made for entry or for anything that was served. The party took place from 6 p.m to 8 p.m. As good weather was approaching, a few days before it was thought it would be nice to hold the party at the bandshell on the lawn, and a request was made by the

committee to the Speaker's office, to which I had spoken earlier, to see if that could be arranged. It had never been done before, but the Speaker's office kindly consented.

Following that, the St. David Liberal Association hired a commercial caterer to provide refreshments. We have received and paid a bill for sandwiches and a nonalcoholic punch. That was provided. It was laid out on three tables that were manned in each case by representatives of the catering service. The punch was in large jugs. I have been told, and I have this afternoon confirmed, that some members or guests independently ordered a quantity of white wine, which they poured into two of the jugs on one of the tables and thereby mixed it with the grapefruit punch. That was undoubtedly consumed.

The party proceeded amiably from 6 p.m. to 8 p.m. We presented Canadian flags to those members of my association who had distinguished themselves in the campaign. I was delighted that other members of the Legislature, of all parties, who were in the neighbourhood, came to attend as they were passing by.

Since this allegation was made this afternoon, I have obtained advice. The best advice I can obtain was that no offence, under the liquor or any other regulations, was committed by the association, by the caterer or by me.

If any member on this side of the House or the other is offended, or if the privileges of the House are offended, by what has been said against me in this entirely innocent social event, I am sorry for it. Any suggestion that what may have happened exhibits contempt on my part for the law or legal institutions is clearly wrong and unwarranted, and I reject it without any hesitation.

The House adjourned at 10:56 p.m.

## CONTENTS

**Thursday, July 11, 1985**

### Second reading

<b>Education Amendment Act, Bill 30, Mr. Conway, Mr. Martel, Mr. Van Horne, Mr. Harris, Mr. Wiseman, Mr. Laughren, Mr. Pope, Mr. Shymko, Ms. E. J. Smith, Mr. Jackson, Mr. Rae, agreed to Adjournment debate.</b>	721
<b>Party on Legislature lawn, Mr. Gordon, Mr. Scott.</b>	744

### Other business

<b>Business of the House, Mr. Nixon.</b>	744
<b>Adjournment.</b>	745

## SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)  
 Ashe, G. L. (Durham West PC)  
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
 Conway, Hon. S. G., Minister of Education (Renfrew North L)  
 Edighoffer, Hon. H. A., Speaker (Perth L)  
 Gordon, J. K. (Sudbury PC)  
 Haggerty, R. (Erie L)  
 Harris, M. D. (Nipissing PC)  
 Jackson, C. (Burlington South PC)  
 Martel, E. W. (Sudbury East NDP)  
 Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)  
 Pope, A. W. (Cochrane South PC)  
 Rae, R. K. (York South NDP)  
 Scott, Hon. I. G., Attorney General (St. David L)  
 Shymko, Y. R. (High Park-Swansea PC)  
 Smith, E. J. (London South L)  
 Stephenson, B. M. (York Mills PC)  
 Van Horne, Hon. R. G., Minister without Portfolio (London North L)  
 Wiseman, D. J. (Lanark PC)



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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**  
Friday, July 12, 1985

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Alphabetical lists of members of the Legislative Assembly of Ontario, members of the executive council, parliamentary assistants and members of committees also appear at the back as an appendix.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, July 12, 1985

The House met at 10 a.m.

Prayers.

## VISITOR

**Mr. Speaker:** I would ask all members of the Legislative Assembly to join me in recognizing and welcoming Brigadier the Honourable Max Frederick Willis, former Leader of the Opposition and still a member of the New South Wales Legislative Council. Please join me in welcoming Mr. Willis, who is seated in the Speaker's gallery.

## STATEMENTS BY THE MINISTRY

### PLANT SHUTDOWNS

**Hon. Mr. Wrye:** I wish to report to the House concerning the Ministry of Labour's actions in the light of recent developments at White Farm Manufacturing Canada Ltd. in Brantford. In the past few months, this company has again encountered serious financial difficulties which have culminated in receivership and the sale of certain of the company's assets to Massey-Ferguson. It now appears that approximately 600 employees will be affected by this closure.

The failure of White Farm is a tragic blow for the workers affected and also for the community of Brantford. The contraction of the agricultural implement industry has delivered a series of shocks to the economy of Brantford in the past few years. The magnitude of the economic crisis which has beset the work force and the community of Brantford warrants special government action.

I wish to advise honourable members that the following special employment adjustment initiatives are in progress or will soon be undertaken in the Brantford area.

First, the government will make up to \$75,000 available through the Ontario help centres program, which funds local labour organizations and other community groups to provide employment counselling and job search activities across Ontario. The Brantford Unemployment Service Centre, which has been operating in the community for some time, would be eligible to receive funding under the new help centres program.

The decision to extend funding in the Brantford area is consistent with our government's commitments enunciated by the Premier (Mr. Peterson) earlier this spring. In the coming days, my officials will be in contact with their federal counterparts and I am hopeful the federal authorities will contribute to the funding of this initiative.

Second, Ontario is prepared to participate with the Canada Employment and Immigration Commission in the establishment of an industrial adjustment program for the workers of White Farm. This program is intended to identify employment opportunities and to provide a referral service for workers displaced by an industrial closure. I understand federal officials have been in contact with the company regarding the establishment of the adjustment program.

The third thrust of our effort will be to help the employees of White Farm prepare for new employment opportunities through the ministry's employee assistance program. This program, offered through local community colleges, involves vocational counselling, together with advice on available benefits and training programs. The ministry will be contacting officials of the union immediately to institute the program.

The federal government has recently announced the development of a community futures program as part of its overall employee adjustment strategy. The available information indicates that this program is designed to assist single-industry communities of fewer than 50,000 people affected by a plant closure. Regardless of any limiting guideline, I intend to press for the extension of the program to Brantford. Ministers of Labour will be meeting in Calgary on Monday of next week. At that time, I will be personally urging my federal counterpart to consider a community futures program for the community of Brantford.

Obviously, if the workers are to take advantage of new employment opportunities, effective retraining programs must be made available. The government has made a commitment to provide necessary funding to evaluate training needs in the community and to develop the appropriate training programs. Consultation with interested

parties and the local community colleges will begin immediately.

The measures I have announced today demonstrate the government's commitment to assist the people of Brantford. I believe these measures will alleviate some of the hardships experienced by the workers of White Farm Ltd. and will prepare the community of Brantford for future growth and renewal.

#### HOUSING MINISTERS' CONFERENCE

**Hon. Mr. Curling:** As I said earlier this week in response to questions raised by the member for Bellwoods (Mr. McClellan), I want to present a summary report on the conference in Calgary attended by ministers responsible for housing from across Canada.

I was very impressed with the strong spirit of co-operation and understanding demonstrated by the participants. I was most appreciative of the warm reception offered to me as the most junior minister attending. Most important, the conference provided an excellent opportunity to obtain first-hand information about the challenges facing us in the housing field.

It is very clear that each province has its own unique problems and must search for its own unique solutions. Still, the opportunity to work together to reach those solutions is invaluable. Federal and provincial co-operation in the housing field is, as the members know, an ongoing process. Just as this conference built on the achievements of last year's conference held in Ottawa, the next conference will build on the achievements of this one.

I admit this is a fairly lengthy report, but because my colleague opposite expressed such interest in the Calgary conference, I want to be sure I provide him with all the information I can.

The discussions covered four very broad topics: market housing, mortgage rate protection, mortgage-backed securities and social housing.

1. Market housing: A report prepared by the senior housing officials of British Columbia set out suggested principles to guide relations between governments and the private sector. The purpose of these principles is to provide an indication of government commitment to stable long-term policies to provide a more stable investment environment for the housing sector. Following the tabling of the report, it was agreed that the housing industry across Canada would be consulted before final approval of the recommendations. One of my responsibilities is to make certain that all interested groups in Ontario are

consulted on these recommendations during the next few months.

2. The mortgage rate protection program: This federal program was launched in 1984 to provide long-term security for home buyers faced with uncertain interest rates. It is interesting that only 100 people have taken advantage of the program since its introduction.

My ministry, along with other provincial ministries, has urged changes to make the program more helpful to the public; that is, the reduction of premiums from 1.5 per cent to one per cent, increasing the maximum allowable mortgage in the program from \$70,000 to \$100,000 and extending coverage to existing mortgages. The federal minister, Mr. McKnight, agreed to incorporate changes in the program once the details have been worked out with all the provincial housing ministries.

10:10 a.m.

3. Mortgage-backed securities: As another initiative to enhance long-term mortgage financing, the federal government proposes to provide a pool of funds to provide 10-year term mortgages with a secure guarantee of payment for investors. The securities will be sold to investors by financial institutions. Ontario and other provinces supported this plan, and Mr. McKnight said that appropriate legislation will be introduced this fall.

4. Social housing: All the provinces joined Mr. McKnight in co-signing individual memoranda of understanding to recommend to their governments the approval of a new global agreement on social housing. Each province will enter into bilateral discussions with the federal government with the intention of signing the global agreement no later than September 15, 1985.

The intent of the proposed agreement is to provide better and more cost-efficient methods of delivering social housing in each province. Based upon principles agreed on by all the provinces, it would result in better targeting of social housing to low-income groups, optional provincial delivery of all jointly funded social housing programs and simplified administration and controls.

The majority of the provinces were ready to execute the agreement, but the federal minister felt there was a need for further development of program design and cost-sharing agreements before signing it. Meanwhile, I will have the opportunity to study the features of the new agreement and to make the appropriate recommendations to my colleagues in cabinet.



In addition to the four major areas of discussion, I took particular interest in a report that my ministry submitted which detailed ways to reduce expenditures and increase revenues in the social housing field. I strongly approved the recommendations that included simplified reporting procedures, improved management of certain social housing programs and numerous cost-efficient measures.

Following the submission of the report, there was considerable discussion among the provincial ministers on changing the rent scales for social housing, rent scales that currently range from 16.6 per cent to 25 per cent of gross income.

This completes my summary of the discussions in Calgary. I found the conference to be highly educational, not only in the discussion of the business of the agenda but also for the opportunity to become acquainted with ministers and housing officials from across Canada. The experience only confirmed my awareness of the major challenges and responsibilities that face all of us concerned with providing housing for all Canadians.

#### SENIOR CITIZENS' SERVICES

**Hon. Mr. Van Horne:** I am pleased to inform the honourable members about the government's plan to improve the provision of services to the elderly.

As minister responsible for senior citizens' affairs, I am undertaking a review of the programs and services for seniors which are available in Ontario.

A special focus of this review will be an examination of the programs and services offered by the Ministries of Health and Community and Social Services. Our objective is to determine ways and means to rationalize responsibilities for funding, delivery and management of services to seniors.

Our overall goal is to create a system of care which will meet the individual needs of seniors everywhere. We intend to develop a sensitive and efficient system which will deliver services effectively, taking into account the full financial implications. Through this approach, we will be responding to the needs of the increasing number of seniors in our society.

I intend to review the outstanding issues which have been identified by the senior citizen organizations and professional groups involved, and I will develop proposals and recommendations which will address these principal concerns, including the following topics: the quality of life in our institutions; the funding of different

levels of care; expansion of community support services; the roles of the public and private sectors in the provision of services; an assessment and placement system for the elderly, and the development of a continuum of care, from community supports to institutional care.

As my first step in this project, I have begun a series of consultation meetings with representatives of senior citizen organizations and with professionals and provider groups throughout the province. The aim of this consultation process is to provide a full airing and an opportunity for broad input from those involved.

My discussions with the representatives of organizations and informal meetings with people across Ontario will contribute substantially to the formulation of proposals and recommendations I plan to bring forward at the earliest possible time.

A critical part of our review will also address issues such as pension reform, income support measures, housing options and transportation alternatives. This will be done in close consultation with my colleagues, the Treasurer (Mr. Nixon), and the Ministers of Housing (Mr. Curling) and Transportation and Communications (Mr. Fulton).

I look forward to the support and counsel of the members of the Ontario Advisory Council on Senior Citizens as well as other senior citizen organizations and experts in the field of ageing.

#### ONTARIO PLACE RIDE

**Hon. Mr. Eakins:** Recently I had a preview of the new wilderness adventure ride at Ontario Place, and I must report it is quite spectacular.

It gives me great pleasure to announce the ride opens later today and to invite the members of this House and the general public to experience its excitement.

It features a series of authentically detailed, lifelike animated scenes depicting turn-of-the-century northern Ontario.

This innovative ride is part of the \$10.8 million revitalization of the west island, which has already seen the opening of the new water stage.

The west entrance, restaurants and other facilities have already been renovated and expanded. With these improvements, the new water stage and the wilderness adventure ride, Ontario Place enhances its standing as a world-class entertainment complex.

It is anticipated the west island's new attractions and general improvements will increase Ontario Place's net revenues by approximately

\$2 million per year. This will allow a reduction in the level of government subsidies required.

The revitalization has had significant direct and indirect economic benefits. Construction provided an estimated 400 person-years of employment, generating \$12 million in employment income and \$10 million in goods and services purchased in Ontario. Approximately \$1 million was generated in income and sales taxes.

Ninety-three per cent of the expertise, labour and materials that went into building the ride, including the life-like animated scenes depicting turn-of-the-century northern Ontario, was provided by Canadians. The remaining seven per cent includes the design and construction of the boats in California and some engineering expertise which I understand is not presently available in Canada.

I wholeheartedly encourage everyone to experience the beauty and excitement of the wilderness adventure ride, the new west island and, indeed, all of Ontario Place.

#### FRENCH-LANGUAGE EDUCATION

**Hon. Mr. Conway:** I rise today to address this House on the matter of the governance of French-language schools and classes. As honourable members are aware, the Ontario Court of Appeal ruled on this matter over one year ago.

Je tiens à préciser que notre gouvernement a pris des engagements fermes en faveur de la gestion des écoles de langue française par des conseillers scolaires élus par la minorité de langue française. Nous avons l'intention de respecter les droits conférés par la charte canadienne des droits et libertés à la minorité de langue française et de respecter l'esprit de la décision rendue par la cour d'appel de l'Ontario en juin 1984 sur la prestation des services enseignants en langue française.

On June 18, 1985, Bill 28 was introduced by the former Minister of Education, the member for St. Andrew-St. Patrick (Mr. Grossman). It provided for the governance of French-language schools and classes by elected French-speaking trustees, representing those who qualify for minority-language educational rights under section 23 of the Canadian Charter of Rights and Freedoms. These additional trustees would have exclusive authority to make decisions pertaining to the provision of minority-language instruction and facilities within their jurisdiction. This legislation would also apply to English-language schools and classes in a minority position.

10:20 a.m.

However, in the light of the results of recent consultations, it appears the provisions of Bill 28 are not the most acceptable way of recognizing the right of the Franco-Ontarian population to administer and manage its own schools. The implementation of Bill 28 would produce complex regional and local difficulties about which the member for Nickel Belt (Mr. Laughren) made some comment last evening. The bill does not fully satisfy many of the concerns raised by various associations, by school boards and by francophones across this province. Bill 28, as it was introduced, would have fundamentally altered the structure and character of many school boards in this province.

As well, Bill 28 would be implemented in the context of another initiative, Bill 30, which provides for the extension of funding to Roman Catholic secondary schools. Bill 30 also provides for the en bloc transfer of French-language secondary schools to the Roman Catholic school boards and affects trustee representation on boards of education.

Therefore, to bring about the desired result and to achieve effective implementation, the matter of French governance requires further consideration and consultation. Since Bill 28 has numerous technical difficulties and does not meet the legitimate needs of the francophone population, the government has decided it cannot proceed with this legislation at this time.

I want to make it clear that this government is committed to compliance with the Ontario Court of Appeal decision. We will proceed as quickly as reasonably possible. I am therefore announcing today that after consultation with boards and interested groups, this government will introduce new French-language governance legislation at the next session of this Legislature in the fall of 1985.

This new legislation will be based on principles to be established through a process of genuine consultation. We are confident this new bill will provide solutions to governance of French-language education that will be more sensitive to regional diversity and more responsive to local situations. We believe that consultative process will permit the exploration of all possible models of French-language governance. I trust the people of Ontario, and especially the francophones of this province, will understand the situation in which we find ourselves.

Let me summarize the position of the government. We will comply with the ruling of the Ontario Court of Appeal of June 1984 on the provision of French-language education. We are



committed to the principles of French-language governance of education. We will introduce new legislation to provide for the governance of French-language education by francophones of this province. The new legislation will recognize the entitlements of the provincial linguistic minority. We will ensure solutions are provided that will respond to local needs. Those are our objectives, and we as a new government will meet them.

Avec la collaboration des membres de l'Assemblée et des citoyens de cette province, nous veillerons à la satisfaction des besoins d'enseignement de la population de langue française.

#### ANNUAL REPORT, PUBLIC COMPLAINTS COMMISSIONER

**Hon. Mr. Scott:** I am pleased to lay before the assembly the annual report of the public complaints commissioner for 1984. This report will be the last submitted under the old pilot project legislation, which was replaced in December 1984 by a new, revised statute that places the office of the public complaints commissioner on a permanent footing.

The report is a very strong tribute to the present commissioner, Sidney B. Linden, QC, and all his staff. Great strides have been made in recent years in bringing a greater amount of fairness into the process. Equally important, the process has come to be perceived as a more open and fairer one. For this, the Metropolitan Toronto Police, as well as the commissioner, deserve a great deal of public appreciation and support. The system is not yet perfect; however, with the goodwill that exists between the commissioner's office and the police, and with the continuing trust of the public, this important experiment can and will become an even greater credit to our province.

I would like to use this occasion to express my regret, which I know I share with previous Attorneys General, at the decision of the current public complaints commissioner, Mr. Linden, to resign from his position. This decision, which was conveyed to the previous government in May, brings to a close this particular chapter in Mr. Linden's very distinguished record of public service.

Much of the credit for the great success the office has had to date must go to his wisdom, tact, ideas and perseverance. Working with two chiefs of police, Jack Ackroyd and Jack Marks, who were able to take a forward-looking posture in this sensitive area, Mr. Linden has created one

of the most important institutions in metropolitan government in the province.

I draw to members' attention that Mr. Linden is present in the gallery today. I know all members of the assembly will join me in regretting very much his decision to leave, but I am confident the office he has placed on such a firm footing will stand as a permanent tribute to his period of great public service.

#### FREEDOM OF INFORMATION

**Hon. Mr. Scott:** Later this morning I will be introducing a bill entitled the Freedom of Information and Protection of Privacy Act. I do so to meet our long-standing commitment to give the citizens of Ontario greater access to the conduct of their affairs.

It should be noted that for decades in this province we have discussed the concepts of freedom of information and protection of individual privacy, but no significant action has been taken. Indeed, as the Premier (Mr. Peterson) observed in his statement of July 2, six years have elapsed since the previous government first promised such legislation.

At each and every turn, difficulties have been posed and action has been forestalled. As G. K. Chesterton once said in a different context, "It is not that the idea has been tried and found wanting; it is that the idea has been found difficult and left untried."

Let there be no doubt that, notwithstanding the difficulties the concepts of freedom of information and the protection of individual privacy may pose, they are fundamental principles for this government. It is thus with a sense of historical moment that we today honour our commitment to our fellow citizens to move ahead with legislation as expeditiously as possible by introducing this bill. We do not now and never will accept the proposition that the business of the public is none of the public's business.

The legislation I will be introducing is based on the model bill introduced in this assembly in 1983 by our former colleague James Breithaupt, QC, now the distinguished chairman of the Ontario Law Reform Commission. All of us here are in his debt for the dedication, knowledge and skill he brought to these complex issues. I draw attention to the fact that Mr. Breithaupt is present today in the gallery to observe the completion of his work.

The Breithaupt bill was, in turn, largely founded on the recommendation of a commission chaired by Dr. Carlton Williams, a distinguished Canadian educator and president of the Universi-

ty of Western Ontario at that time. Over two years that commission gave detailed, thorough and scholarly consideration to the issues presented by legislation such as this. It goes without saying that our task would be much more difficult without the firm and sound foundation laid by Dr. Williams and his fellow commissioners.

**10:30 a.m.**

The freedom-of-information portion of this legislation is based on three principles: (1) government information should be more readily available to the public; (2) the necessary exceptions to access to government information should be limited and specific; and (3) decisions by ministers and government officials on what information will be disclosed should be reviewed by an independent commissioner accountable only to the assembly.

The goal of the privacy aspect of the legislation is to strengthen protections for the personal information in government files and data banks and to give individuals access to personal information relating to them.

The enactment of legislation such as the proposed bill requires not only a commitment to principle but also an act of political will. Indeed, a former Conservative member of parliament, Gerald Baldwin, a proponent of legislation of this type, noted in an article in the *Globe and Mail* in 1982 a direct relationship to the previous government's support for freedom of information and its change in status from minority to majority. He wrote:

"There were some provinces where the leadership had in public been most deferential to the idea of freedom of information. Ontario had established a first-rate royal commission which, after sitting for some time, produced several excellent reports. When the Tories were in a minority position, they appeared to accept the views contained in these reports and in fact started the introduction of legislation. Then came an election, a majority government, and open government started to fade into the distance."

I also am aware and draw attention to the fact that two of my colleagues opposite, the members for Carleton-Grenville (Mr. Sterling) and Cochrane South (Mr. Pope), have in previous administrations had responsibility for the important issues that are represented in this bill. I hope and trust both will be enthusiastic proponents of the principles this bill advances.

As this is a new government committed to reform and change, it may be easier for us to move on this issue than for those long entrenched in power. We propose today to seize the

opportunity to act now. We have the commitment; we have the political will.

I recognize that over time every government, every established public agency may become less sensitive to public needs in respect of information. I also recognize and have no doubt that at some point in the future information may be made public under this new bill that could embarrass or harm the political fortunes of the government of the day. We recognize that possibility; however, it is a fact of life and a natural consequence of an open, consultative government. It will achieve the greater good of parliamentary democracy, open administration and thus the good of society as a whole. That potential risk, that potential cost, can and must be borne in the interest of freedom.

When there is true openness in government, we will have a society that is trustful of its government, not fearful of it. We will have a society that is enlightened by information and able to make thoughtful choices as to the future shape of our society.

Let me repeat what our former colleague from Kitchener said when speaking on his own bill: "We in Ontario cherish the traditions of our own society. If we are to ensure the preservation and vitality of those traditions, we need reasonable, fair legislation dealing with freedom of information and the protection of privacy. Those among us who believe the welfare of the community comes before the welfare of its government will support this bill."

I am confident there will be many detailed arguments in the days ahead as our legislation is debated. People in good faith may disagree on how best to strike the appropriate balance in specific cases. In keeping with this government's commitment to consultation, I hope there will be broad and open public discourse on those issues.

Specifically, there may be debate regarding mechanisms provided for in the bill and respecting public agencies to be brought under its authority. There may be concerns about the scope of the exclusions related to cabinet and law enforcement, which lie so close to the central institutions of representative government and the maintenance of public order.

In particular, we are anxious to hear the views of members of the Legislature and the public and those whose special responsibilities in the law enforcement area are particularly affected by the proposed legislation.

What we seek in the end is an act that will strengthen the foundation upon which our free democratic government is based. The bill is a



good one. We intend to listen carefully to every reasonable suggestion to make it better.

In conclusion, I draw to members' attention the opening words of the Williams commission report:

"The modern totalitarian state relies on secrecy for the regime but high surveillance and disclosure for all other groups. The democratic society relies on publicity as a control over government and on privacy as a shield for group and individual life."

As I said in opening, the idea of freedom of information and protection of privacy has not been found tried and wanting; until now it has been found difficult and left untried. There are many who would encourage us to postpone, to prevaricate, to study, to put off decision-making to another day. We echo the exasperation of Robert F. Kennedy confronting a similar issue and similar considerations when he said: "If not me, who? If not now, when?"

With respect to the great democratic principles this bill espouses, we echo the same cry and proudly assert that this government will act now.

**Mr. Pope:** Mr. Speaker, on a point of privilege: The member for Carleton-Grenville and I were referred to in the statement by the minister. We never received a copy of his statement or a copy of the bill. Is this part of the freedom of information package?

## ORAL QUESTIONS

### FORMER GOVERNMENT'S COMMITMENTS

**Mr. F. S. Miller:** I have a copy of the Toronto Star of two or three days ago, which poses a question for the Premier; it says, "Hospital Grants Not Guaranteed, Peterson Warns." I want to ask the Premier a question about the \$43 million in hospital grants that seem to remain in jeopardy. On Wednesday, as quoted in that article, the Premier said, "Who knows on what basis they were allocated?" Does he now know?

**Hon. Mr. Peterson:** The member is the one who allocated them. Maybe he should tell us.

**Mr. F. S. Miller:** The Premier does not now know. That is the point we are making. He is making threats to the hospitals of this province, and after several days he does not now know. What are our members going to say to their hospitals when they go home on the weekend? What are his members going to say when they talk about it?

Does the Premier know, for example, our statement of June 17 spelled it out? Does he know

the Ontario Hospital Association has expressed its appreciation to this government of ours, not to his, about that important increase in their operating spending? He should listen to the Treasurer (Mr. Nixon), because he appears to know. I should have posed the question to him.

10:40 a.m.

**Hon. Mr. Peterson:** I find this new advocacy of the member's very strange. He is the one who bragged about closing hospitals. If he had not been mugged by his colleague, he would have closed Doctors Hospital. It is a good thing he was stopped; if he had not been stopped by my colleague, he would have closed the Willett Hospital. If he had not been stopped by the current Minister of Agriculture and Food (Mr. Riddell), he would have closed Clinton Public Hospital.

We understand these issues very well. If his question is what our members should tell their hospitals when they go home this weekend, he can tell them to tell the hospitals that we will deal sensitively and carefully with all these matters. We are reviewing all the expenditures, but everyone will be dealt with absolutely fairly and we will fulfil our commitment to quality health care.

No matter how the member tries to raise the spectre—he is the one who considers himself Frank the Knife, but I do not consider myself David the Knife—we are going to deal with those issues sensibly. We are going to be very tough-minded about some of the expenditures we do not think were in the public interest—no question about that—but we are committed to quality health care. Let him tell his members to tell their hospitals that.

**Mr. D. S. Cooke:** It is fine for the Premier to say he is going to deal with this in a sensitive way. The fact is that hospitals are considering the closure of beds and the laying-off of hundreds of hospital workers because they are underfunded and they need that one per cent. Actually, they need a little more than one per cent to avoid layoffs totally. When is the Premier going to tell the hospitals what his intentions are, so hospital beds are not closed and workers are not laid off?

**Hon. Mr. Peterson:** There will be no beds closed or layoffs as a result of any cutbacks the member suspects we may bring in, because we are not going to do that. We have fairly good communication with these people and none of them is listening to the kind of concern that some would try to demonstrate is there. They know how we are going to deal with these things.

The minister is very much on top of this situation. In talking to administrators and others concerned with health care, my sense is that they are far happier today with this government than they have ever been in the past.

Interjections.

**Mr. Speaker:** Order.

**Mr. Grossman:** In his answer to the original question, the Premier indicated he does not know the basis upon which the \$43 million was allocated. On June 17, 1985, the then minister announced that it was one per cent to every hospital in the province on an across-the-board basis. I presume his Treasurer or his Minister of Health (Mr. Elston) has brought this statement to his attention. He was in the House that day—it is no excuse, but he was not coming to the House much then. The statement was made in this House indicating one per cent to every hospital in this province.

How can the Premier come in this morning and threaten every single hospital in the province with a one per cent reduction? That is what he has done. He says he is doing that while not knowing the basis upon which that allocation was being made. Is this the delicacy with which he treats the health care system? The hospitals across this province will be shocked to know he does not know the basis upon which that allocation was made. It was announced right here in the House on June 17. How can he not know?

Is the Premier now prepared to withdraw his allegation that the one per cent was based on political whim? Why does he not know the basis on which the grants were raised?

**Hon. Mr. Peterson:** I do not blame the member for being angry and upset. It is not easy being a Minister without Portfolio in a shadow cabinet.

I think members heard a very thoughtful explanation from the Treasurer yesterday on the wrinkles the former Treasurer used with respect to hospital financing, how he tried to give the impression there were high transfers and he rolled in the capital costs with the operating costs.

**Mr. Grossman:** Does he think these are wrinkles? Is he saying these are wrinkles?

**Hon. Mr. Peterson:** I think we understand these things very well, even better than the member does. He can tell the people at Doctors Hospital, the hospital he defended and prevented from being closed by his close colleague, that we will be there with great sensitivity to help them in their current year.

**Mr. F. S. Miller:** All the Premier came into this House with today was a set of prepared funny lines, no matter what the question. He did not answer the question. He had Senator Keith Davey's latest fun lines; that is all. He has given no answer at all. Or was it Jerry Grafstein or Michael Kirby today? Which of the three gave him that line?

Will the Premier end this nonsense right now? Why does he not tell the hospitals of Ontario they have that one per cent for sure?

**Hon. Mr. Peterson:** The interesting thing is to sit here and watch the two members spar.

The hospitals know they have nothing to worry about. They are not nearly as exercised as the Leader of the Opposition. They know we are going to deal with these things effectively and well. The member should stop getting so excited.

**Mr. F. S. Miller:** Is the Premier retracting what he said? Is it political whim? Is he telling us the 7.7 per cent increase as announced by our Minister of Health was too much?

**Hon. Mr. Peterson:** I will repeat it. When we are talking about Deerhurst and some of the things the former government did in the last little while, in the last series of commitments the member signed as he was going out of power—the timber licences; the appointments; the expenditures he made, knowing he would never have to honour them; all the mayhem the government tried to create as it was going out—I said they are all reviewable. The Leader of the Opposition had better understand that.

**Mr. Grossman:** I think the Premier has given an answer to that question, that the hospitals do not need to worry.

Could he now explain whether they get the one per cent, i.e., 7.7 per cent, or whether the Premier believes a 7.7 per cent increase may be too much money for the hospitals in this province? Which one is it?

**Hon. Mr. Peterson:** This is one of the member's famous yes or no questions, I gather.

I told the member we are going to deal very sensitively with this issue. The hospitals have no reason to fear that we will deal insensitively with the whole matter. The members opposite can continue to yell, hoot, holler and outshout each other and decide who is going to get the biggest applause from the opposition back benches. That is their problem. I do not have to deal with their problems; I have to deal with the hospital problems they created.

#### LEARNING DISABLED

**Mr. Rae:** I have a question for the Minister of Education which arises from a great many



concerns that have been expressed to members of my caucus and members of other parties as well. It is a concern expressed in no uncertain terms by the parents of children who have special learning disabilities and who know perfectly well that under the current timetable, financing arrangements and changes in the law, which were part and parcel of the previous government's approach to Bill 82, their children will face severe problems come September.

The minister will know it is not just the case of an individual problem. There is a basic policy decision that has to be taken. Is the minister prepared to indicate to those parents that the government will continue to allow certain children, who cannot be served effectively under current circumstances and financing under Bill 82, to attend special schools and continue to receive a subsidy from the government under the Vocational Rehabilitation Services Act? As the minister knows, they are not now allowed to do this as of September. Will the minister reinstate the Vocational Rehabilitation Services Act so those children will be able to continue their schooling in September 1985?

**10:50 a.m.**

**Hon. Mr. Conway:** I have been reviewing the special education legislation and its impact in September 1985. Like all members, I am concerned about the situation to which the member for York Centre (Mr. Cousens) directed our attention yesterday. I have asked my officials for a report on the latest approvals for final implementation plans for the fall of 1985. I am reviewing with my own officials, and have asked them to consult with the Ministry of Community and Social Services, to see what options may be available to deal with the problems the member's question concerns itself with.

**Mr. Rae:** The minister will know that guidelines and regulations have been changed quite substantially. He will also know that the leader sitting next to him made a speech a short, few six months ago to the very parents who today are still concerned and are still extremely worried.

At that time in November 1984, his leader said: "The provincial government just has not delivered on Bill 82. The government is not coming anywhere near to meeting its promise to provide special education to all exceptional children and is putting tremendous pressure on schools and on taxpayers. We have been talking about this problem for a long time," Peterson said. "We predicted this was going to happen and

it did. Stephenson has broken faith." That referred to the then Minister of Education.

The minister and his government now have an opportunity to do something about a problem we have all recognized and have all been discussing for a long time. I am asking the minister today whether he is prepared to do something about the situation in order to alleviate a real crisis, not only a financial crisis but also an emotional crisis, for many families across this province whose kids will not be getting the kind of education they need in the public system because of the problems attached to Bill 82, and who now are going to face severe financial problems in order to keep their children in the schools they have been attending for many years.

**Hon. Mr. Conway:** Yes, the new government is quite prepared to take all necessary measures to ensure we have the highest quality special education in Ontario. As the member can recognize, the education agenda I have faced in the past two and a half weeks has been rather full. I share his concern. I am anxious to proceed immediately with as thorough a review of the status quo as possible to see what additional or supplementary measures are going to be required to deal with the difficulties to which he directs our attention.

**Mr. Timbrell:** Putting it in its simplest terms, through this assembly, will the minister today assure all parents of children requiring special education that come September 3 those children will be enrolled in the system in the way most appropriate for the requirements of their child or children while he is completing the requirements of Bill 82, whether it be in their local school board or in another jurisdiction such as the Gow School mentioned by my friend the member for York Centre yesterday?

**Hon. Mr. Conway:** The member for Don Mills raises a question that perhaps he might have canvassed with his colleague the member for York Mills (Miss Stephenson).

At present, I am reviewing the policy developed by the previous government about which there have been some difficulties. There is no doubt about that, as the member for York Centre pointed out yesterday. I want to say to the parents and children affected that we will take all possible measures to provide for the appropriate special education for the fall of 1985.

**Mr. Allen:** While the minister is looking at the question of dealing with the special problems of those special learning disabled children in private institutions and the possibility of an additional year's subsidy at least for them and their parents,

will he also look at the problem of financing special education in September of this year, inasmuch as in the course of the four years since the funding was provided, the moneys have suffered severe attrition due to inflation?

The \$16 million allocated for this coming year has lost appreciably in purchasing power as far as the boards are concerned. Will he at least look at scaling that up on an indexed basis, basing the indexing initially on the 1981 figure and bringing it up to date in terms of real purchasing power?

**Hon. Mr. Conway:** I can tell the honourable member I have asked my officials for a full review of the financial impacts of the funding arrangements that have been established and we will be looking at them very carefully in the next few days.

#### PLANT SHUTDOWNS

**Mr. Rae:** My question is for the Treasurer and it concerns White Farm Manufacturing Canada Ltd. I will say to the Treasurer that I know of his long-standing interest in the affairs of this company and what has been allowed to happen over the space of the last five years with respect to the various sales, resales and refinancing that have taken place.

With respect to the statement made today by the Minister of Labour (Mr. Wrye), I must confess I am surprised and somewhat taken aback that the Minister of Labour would be making a statement today with respect to some counselling arrangements for people who are going to be affected by the closure of White Farm, rather than having a statement from the Treasurer or from the Ministry of Industry and Trade (Mr. O'Neil), indicating what steps the government took over the last two weeks it has been in office to maintain the company as an integral company, as an effective operating unit.

Can the Treasurer give a report to the House and can he give an answer to me today indicating what specific steps he took as Treasurer—and obviously because of his personal interest in this field—to save the company, those jobs and the technology and to keep it working as an operating unit?

**Hon. Mr. Nixon:** The question calls for a little history. In my capacity as private member for Brant-Oxford-Norfolk, previously, during the last receivership of White Farm, I was not instrumental but certainly was associated with the discussions that led to the support of the company at that time, which unfortunately resulted in the loss, by way of government guarantee, of \$4 million.

At that time, it was hoped that a resurging farm economy would improve the markets for their products, particularly the famous combine with the rotating technology that has been seen as among the best in the world. Unfortunately, the economy has not improved and White Farm, although it has received new management in the form of Mr. Sinclair, a business entrepreneur from the Burlington area, did not receive a large infusion of new funds. It received new management techniques and lots of enthusiasm, but the market did not revive. We have heard the farmers in front of this Legislative Assembly and we have heard the Minister of Agriculture and Food on a number of occasions discussing that the future still is not bright.

The American creditors of White Farm were owed about \$47 million. In response to this recent difficulty, when Borg-Warner Corp., the American creditor, called the note, there was an indication from the government of Ontario—and the present member for Brantford (Mr. Gillies) was the minister at the time and was involved in the discussions, along with the then Treasurer, who is the present House leader on the opposition side—wherein they made a firm offer of \$7 million.

This would be available in conjunction with initiatives taken at the federal level, which would then be made a part of the refinancing package for White Farm, which would have to approach \$40 million, or at least \$30 million, to keep the operation viable. This was in view of the \$47 million that was the note called by Borg-Warner Corp.

After losing \$4 million on the previous receivership, we were told the government of Ontario was offering to involve itself in the financial package to an additional \$7 million. In opposition, and asked during the election campaign, because this came to a head then, I said we would certainly support the position taken by the then government for \$7 million and we hoped the government of Canada would come forward with some sort of support package that would enable the present management to survive this particular funding crisis.

I am sorry, Mr. Speaker, but will you give me just one more moment? The minister federally, Sinclair Stevens, sent a telex to the office of the Treasurer, which I brought to the attention of the Minister of Industry and Trade, who had been dealing with this. The people in the Ontario Development Corp., particularly, had been very knowledgeable in following it on a day-to-day basis. He responded on behalf of the government



of Ontario indicating we were maintaining—or at least my statements had been, and the member is asking the question of me, to the effect that we were maintaining—the offer which had been made by the previous government.

**11 a.m.**

I have been told by Mr. Sinclair himself, or somebody at White, that there had been an oral commitment of an additional \$3 million, that is \$7 million to \$10 million. I had indicated, after consulting with the officials of the Treasury, that there was a firm offer of \$7 million and there had been no response whatsoever from the government of Canada.

The difficulties of White Farm are not new. The 600 people we have been talking about have not been working for a good long time.

**Mr. Speaker:** Order. I think that is a fairly comprehensive answer.

**Mr. Rae:** The obvious question is, what discussions did the Treasurer engage in? What discussions is he aware of in the last two-week period to try to get federal funding; and if that is not possible, did he ever consider the possibility of the Ontario government providing for the guarantee?

I remind the minister the market share of White Farm for combine harvesters has virtually tripled in the last couple of years. Relative to the declining market, their sales have been most effective in Canada. There was an overwhelming feeling, certainly within the company, that if it did not have a dramatic debt load on its back it would be able to survive. Did the Treasurer give it that last best shot, quite apart from telegrams coming in from Sinclair Stevens?

**Hon. Mr. Nixon:** The market share was changing but the total sales were dropping. The member will notice that even Massey-Ferguson declared a \$10-million loss on the account of combine sales, in spite of the fact that its other revenues were more buoyant.

We made it clear we were supporting the \$7-million offer made by the previous government. We certainly examined the possibility, which we certainly did not want to happen, of the company closing—it was in receivership when the Liberal government took office—and we were also concerned that the technology stay in Canada. The result of the receiver's decision is that the technology will be transferred on a sale to Massey-Ferguson, along with the research technology and the facility that was built with the dollars of the taxpayers in Ontario and in Canada.

**Mr. Gillies:** The history of the situation as described by the Treasurer is substantially correct, but I remind him that there was a verbal commitment from my leader, the former Premier, to increase the level of Ontario government support for White Farm if necessary.

To bring it to the present situation, it would appear that the technology for the rotary combine and some of the hard assets are definitely going to Massey-Ferguson. The president of White Farm, Mr. Sinclair, has indicated in press reports that he believed the skilled work force and the remaining assets of White Farm could still constitute a viable company.

Will the Treasurer undertake, along with his Minister of Industry, Trade and Technology (Mr. O'Neil), to meet with Mr. Sinclair and see what support his government can offer to create a new and viable entity at the White Farm Manufacturing Canada Ltd. company on Mohawk Street and keep some of these 600 people working?

**Hon. Mr. Nixon:** During all the time of the direct commitment of \$7 million for White Farm, and the verbal commitment of an additional \$3 million apparently made by the former Premier when he was visiting Brantford, the government of Canada did not respond with any sort of offer. I understand it was put under the greatest, I would not say pressure, but opportunity to offer some additional funding. We have to think of our commitment in terms of a minimum of \$30 million that would be needed and a note called of close to \$47 million.

I will be glad to meet with anybody in this regard. I spoke to Mr. Sinclair on the telephone and I indicated we were standing behind the previous government's commitment.

**Mr. Morin-Strom:** It seems to me the Treasurer has joined the Conservative Party in abandoning the workers and families of White Farm. What assurances can he give to those workers and their families that they will have jobs in an operating concern in Brantford? Given that the technology has been sold and that operation is left barren of its greatest resource, will he undertake to see that Massey-Ferguson gives assurances these workers will have the first opportunity to get jobs that will be generated from the introduction of the technology on the axial-flow combines production plant?

**Hon. Mr. Nixon:** In response, I would direct the honourable member's attention to the statement made by my colleague the Minister of Labour (Mr. Wrye) earlier this morning. It was a fairly comprehensive statement about this government's program to provide leadership and

assistance to the workers and their families in the Brantford area, some of it on a direct basis and the rest in an effort to see their employment opportunities are not lost but, in fact, improved in that community.

I thought the statement was a comprehensive and excellent one, and I hope the member will give careful consideration to it. I will send a copy of it to him.

#### FORMER GOVERNMENT'S COMMITMENTS

**Mr. J. M. Johnson:** I have a question to the Premier. Quite simply, did the hospitals in and adjacent to my riding get the one per cent funding or not? My constituents use many hospitals, namely, Groves Memorial Community Hospital in Fergus, Louise Marshall Hospital in Mount Forest, Shelbourne District Hospital, Dufferin Area Hospital in Orangeville, Palmerston and District Hospital, Owen Sound General and Marine Hospital, Peel Memorial and two hospitals in Guelph. Will they receive extra funding, or not?

**Hon. Mr. Peterson:** I have told the honourable member and I will tell him again that we are not going to impair any of their capacity to operate and we are not going to—

**Some hon. members:** Do they get the one per cent or not?

**Mr. Grossman:** Answer the question.

**Mr. Speaker:** Order.

**Mr. Jackson:** During the election campaign the Premier had tremendous clarity on this issue of hospital funding. I recall that he informed his stable of Liberal candidates across this province to tell every single hospital in this province to expect extra funding under this government.

Would the Premier tell this House, would he tell this House today, what he is saying privately to his members this weekend to go out across this province and tell every single hospital in this province? What is he telling the member for Halton-Burlington (Mr. Knight) to tell the Georgetown and District Hospital, the Joseph Brant Memorial Hospital and the Milton District Hospital this weekend?

When is the money coming?

**Hon. Mr. Peterson:** I have very thoughtful discussions with all the colleagues the honourable member mentioned. We do not shout at each other. We discuss these things in a dispassionate way. We say a compassionate level of support can be expected from this government, and our

members are all quite excited because of the response they are getting from their hospitals.

**Mr. Speaker:** Order.

**Some hon. members:** Do they get the one per cent or not.

**Mr. Pope:** One per cent or not?

**Mr. Speaker:** Order.

**Mr. Gordon:** Answer the question.

**Mr. Speaker:** Order.

**Mr. Grossman:** Give them an answer.

**Mr. Speaker:** Order. I will now recess the chamber for five minutes.

**11:15 a.m.**

**Mr. Speaker:** Question period will continue.

**Mr. Rae:** I have a supplementary for the Premier, but I gather he is being asked some outside the House.

**Hon. Mr. Nixon:** He is coming in soon. Do you want to stand that down and go with another question?

**Mr. Rae:** Perhaps I could redirect it to the Minister of Health (Mr. Elston).

**Mr. Speaker:** The question was of the Premier.

**Mr. Rae:** It is a very quick and easy supplementary. Is it the government's intention to grant the one per cent, \$43 million across-the-board increase or not?

**Hon. Mr. Peterson:** I understand everybody wants a definite, specific answer today. Members will cause a fuss and hoot and holler and try to make up for their other deficiencies in conducting themselves as members of the official opposition.

We are going to be sensitive about this matter. We are not going to cut them. We have not in any way infringed on the budgetary planning of any hospital. There is no measurable concern I am aware of from the hospital sector. We are not going to be cutting them back.

We know probably better than anyone, or at least as well as the opposition members, of the real problems of funding in the hospitals. It is not our intention to impair their capacity to operate in any way. Many of them need more money, not less. We have to look at how we can deliver those services sensitively and well. Members will not see services hampered in any way by any cutbacks we would bring in.

#### FIRST-CONTRACT DISPUTES

**Mr. Mackenzie:** I have a question for the Minister of Labour. Is the minister aware of the



ramifications of the current Visa worker strike at the Canadian Imperial Bank of Commerce and the fact that 175 persons in that operation, mostly women, are facing takeaways and demands for waivers from minimum wage legislation and are involved in a classic first-contract situation. In spite of the fact this is obviously a federal matter, because it involves union bank employees, is the minister prepared to intervene with his federal colleagues in an effort to settle this dispute?

**Hon. Mr. Wrye:** The member has properly pointed out this is a matter under federal jurisdiction and that there is some degree of importance to this collective bargaining dispute. Over a period of time, the banking industry has been a very difficult one for the trade union movement to organize. At this early stage of the strike, it would be counterproductive for this minister to intervene with his federal colleague. It may well come up when I am speaking with Mr. McKnight about the White Farm Equipment Canada Ltd. matter and others about which I am sure we will talk privately on Monday. I do not intend to raise it, since I think I should leave the federal minister to deal with those matters that are his responsibility.

**Mr. Mackenzie:** I am disappointed in the minister's answer. I understand the province has a fair number of dealings with the Bank of Commerce in this dispute. I would like to ask the minister, if he is not prepared to use some influence or clout, whether he recognizes that what we have in the Visa bank workers' strike is another watershed labour dispute in Ontario whereby women, basically professionals in the financial community but among the lowest-paid workers, are locked in a bitter strike for a first contract in which the position of the bank is intolerable in terms of takeaways, no regular wage increases since 1981—

**Mr. Speaker:** Question please.

**Mr. Mackenzie:** It is an intolerable situation. Does the minister not recognize that what we are facing here with the mobilization of the trade union movement is a watershed situation?

**Mr. Speaker:** Order. The question has been asked.

11:20 a.m.

**Hon. Mr. Wrye:** I understand fully, as I indicated in my first response to the member, the importance of this dispute and its ramifications, not only in that industry but also for women generally as well as its ramifications in terms of first-contract arbitration.

As I told the member, it may be inappropriate for this minister to begin to intervene with advice to his federal counterpart at the outset. As we talk about the number of labour issues that face us, and particularly the issue this government intends to proceed upon later this session, first-contract arbitration, but also equal value and other issues of economic equity for women, I am sure the matter of Visa will come forward.

I certainly will be putting my views to the federal minister as to the hope that this matter can be settled. At that point, we will probably explore with him any progress to date.

#### FORMER GOVERNMENT'S COMMITMENTS

**Mr. Brandt:** I have a question to the Premier. With respect to the hospital funding question, the Premier must know he has created a real shroud of uncertainty among the hospitals of Ontario. If he wants to apply the freedom of information bill in its true form, let him apply freedom of information where it will do the most good: right here in this House.

What we are looking for is a commitment we can indicate to the hospitals in the areas represented not only by members of this party but also by members of the New Democratic Party and by members of the Premier's own party. Hospitals such as St. Joseph's Hospital, Sarnia General Hospital and Charlotte Eleanor Englehart Hospital in Petrolia in my area, and those in my old home town, London, all want to know in a definitive, specific, unequivocal fashion; they want an answer from the Premier today. Are they or are they not going to get the one per cent?

**Hon. Mr. Peterson:** I can only repeat my answer to the question that was asked by several others.

**Mr. Grossman:** Yes or no.

**Hon. Mr. Peterson:** I also am very concerned about University Hospital in London, St. Joseph's Hospital in London, Victoria Hospital in London, the Willett Hospital in Paris, Clinton Public Hospital, Doctors Hospital, Kingston General Hospital, McKellar General Hospital—they all obviously have similar kinds of concerns.

**Mr. Grossman:** Are you going to roll them back or not?

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** As I told members opposite some days ago, and I tell them again, we are reviewing all the expenditures made by the previous government in its dying hours. I repeat

my commitment that we will treat the hospital sector with generosity and sensitivity; the hospitals know it.

**Mr. Grossman:** Are you going to give them the one per cent?

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** My friends may have determined it is in their interests to try to cause a fuss today; they may be worried, but the hospitals are not worried.

**Mr. Grossman:** They certainly are worried.

**Mr. Speaker:** Order.

**Mr. Barlow:** Let me ask the Premier, is the one per cent safe? Is it safe with the Cambridge Memorial Hospital? Is it safe with the Freeport Hospital in Kitchener or the Kitchener-Waterloo Hospital? Is it safe with St. Mary's General Hospital in Kitchener? Is it safe with Guelph General Hospital or with St. Joseph's Hospital in Guelph? Is that one per cent safe at any place in this province?

**Hon. Mr. Peterson:** I am not sure, but I think the member missed some hospitals on his list. If anybody else would like to add to it, he is welcome to do so.

**Mr. Elgie:** Don't give us this windy talk—no more whimsical stuff.

**Mr. Grossman:** Yes or no.

Interjections.

**Hon. Mr. Peterson:** I can only repeat what I said to the member, and if members would like to list more hospitals—

**Mr. Speaker:** Order. The supplementary question has been asked. If members want an answer, I hope they will wait for an answer.

**Mr. Grossman:** Mr. Speaker, at this time I want to point out to you that we have asked several questions—

**Mr. Speaker:** Order. Is this a point of order or a point of privilege?

**Mr. Grossman:** A point of order, Mr. Speaker. We have asked several questions—

**Mr. Speaker:** What is the point of order?

**Mr. Grossman:** Mr. Speaker, I wish to move the recess of this House until the Premier is prepared to answer this question.

**Hon. Mr. Nixon:** A motion to adjourn is not in order until we enter into orders of the day.

**Mr. Grossman:** No; recess.

**Hon. Mr. Nixon:** We have already recessed once. They did that once. How many other little gambits do they have?

**Mr. Grossman:** Just give us the one per cent.

**Mr. Speaker:** Order. I am advised that a similar motion was placed last October and at that time it was ruled out of order. My ruling is that it is out of order.

**Mr. Grossman:** Mr. Speaker, I challenge your ruling.

**Mr. Speaker:** Order. I remind the member for St. Andrew-St. Patrick and all members that there is no challenge to any ruling by the Speaker during oral questions.

**Mr. Grossman:** Mr. Speaker, on a point of order: Last October 30, the same—

**Mr. Speaker:** Order. Would the honourable member take his seat. Are you challenging my ruling?

**Mr. Grossman:** Yes, I am, Mr. Speaker.

11:30 a.m.

**Mr. Speaker:** Again?

The member for St. Andrew-St. Patrick has challenged the ruling of the Speaker. The question before the House is, shall the ruling of the Speaker be upheld?

2:30 p.m.

The House divided on the Speaker's ruling, which was sustained on the following vote:

#### Ayes

Allen, Bossy, Bradley, Breaugh, Bryden, Charlton, Conway, Cooke, D. R., Cooke, D. S., Cordiano, Curling, Elston, Epp, Ferraro, Fontaine, Foulds, Fulton, Gigantes, Grande, Grandmaitre, Grier, Haggerty, Hayes, Henderson, Kerrio, Keyes, Knight, Kwinter, Laughren, Lupusella;

Mackenzie, Mancini, Martel, McClellan, McGuigan, McKessock, Miller, G. I., Morin, Munro, Newman, Nixon, O'Neil, Offer, Peterson, Polsinelli, Rae, Reville, Reycraft, Riddell, Ruprecht, Scott, Smith, D. W., Smith, E. J., Sorbara, Swart, Sweeney, Van Horne, Ward, Warner, Wrye.

#### Nays

Andrewes, Ashe, Barlow, Bennett, Brandt, Davis, Dean, Elgie, Eves, Fish, Gregory, Grossman, Guindon, Harris, Hennessy, Jackson, Johnson, J. M., Lane, Leluk, Marland, McCague, McFadden, McNeil, Miller, F. S., Mitchell, O'Connor, Partington, Pope, Rowe, Runciman, Shynko, Stephenson, B. M., Sterling, Stevenson, K. R., Timbrell, Treleaven, Villeneuve.



Ayes 60; nays 37.

**Mr. Speaker:** According to my notes, we were in question period. The member for Sarnia (Mr. Brandt) had asked a question and the member for Cambridge (Mr. Barlow) had asked a supplementary. Is there a supplementary from the member for York South?

**Mr. Rae:** Let us try again. I have a supplementary question to the Premier. With the benefit of this pause which refreshed us all, I am sure we have had a chance to review the Instant Hansard as to what has been said.

The Premier said in answer to questions from me, "We are not going to cut them." He later said, "We are not going to be cutting them back." Can he confirm that there will not be a cutback from the \$43-million supplementary amount that was granted by the previous government to the hospitals of the province?

**Hon. Mr. Peterson:** In addition to what the member just read, I would like to read his question from Instant Hansard. He asked, "Is it the government's intention to grant the one per cent, \$43-million, across-the-board increase or not?" The answer was, "We are not going to cut them." That was in direct answer to his question.

#### FLOODING

**Mr. Hayes:** I have a question for the Minister of Natural Resources in connection with the program that deals with the high water levels in Lake Erie and Lake St. Clair, a program that falls short of a total solution to the problem.

In view of the fact that the US Army Corps of Engineers is planning to build dikes for flood-prone areas in the United States from Lake Erie to Lake St. Clair, will the minister agree that kind of action is needed on this side of the border to protect properties from the possibility of millions of dollars of damage? Will the minister—

**Mr. Speaker:** The question has been asked.

**Mr. Hayes:** This is the second half of the question.

**Mr. Speaker:** Order.

**Mr. Hayes:** I will ask my question now.

**Mr. Speaker:** No. You said, "Will the minister agree?" I am sure the minister wants to answer.

2:40 p.m.

**Hon. Mr. Kerrio:** Yes, we have some concerns about the flooding in those areas in the high water. There has been some Hydro control diverting water into Lake Nipigon and trying to

hold back some of the water that might add to the problem.

In examining this situation, though, there might be some question about whether the federal government should participate in this kind of control. Certainly I should bring that matter to the attention of those in the federal government who might participate in alleviating the damage being done by the high water.

**Mr. Hayes:** Because these lake levels are about two inches higher than in 1973, which was the highest recorded level of which we are aware, will the minister immediately contact the Department of National Defence to request it provide manpower and equipment to assist the municipalities in protecting the shoreline prior to this fall?

**Hon. Mr. Kerrio:** Yes. In keeping with my original answer, I think I would be very much concerned with that process. I also have studies before me looking into relief as it relates to taking more water at the Niagara River end. That is still under study. I am not sure that is an alternative to the request the member is making, but all of those things will be examined. If we are not sitting, I will share the answer with the member in a very short time.

#### ONTARIO FINANCES

**Mr. F. S. Miller:** I have a question of the Treasurer. I have a couple of press releases here that do not make me very happy or proud. There is a story resulting from yesterday's economic statement. It says we are probably going to lose our triple-A rating.

Will the Treasurer agree that his politically inspired attempt yesterday in his so-called economic statement to discredit our administration has caused enough dismay in the economic community to produce, in effect, a self-fulfilling prophecy? Now we have Standard and Poor's credit release that says they "are putting the triple-A credit rating of Ontario on credit watch," with negative implications. In their statement they blamed the Treasurer.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Nixon:** Mr. Speaker, I am sure you will recall that my statement yesterday made public the spending projections established and passed by the Management Board of Cabinet of the previous government, which formed the spending program we took over a week ago. It is important for us as a new government to make

public the information that is the basis for decisions we must make.

The particular references to the spending program were quite precise. The priorities for new programs were put forward by my colleague the Premier (Mr. Peterson) in his statement a week ago. I indicated we were going to cut \$250 million over the projected expenditures that had been accepted by the previous government, through the good offices of the present Chairman of Management Board (Ms. Caplan).

In that connection, I would say if there is any jeopardy to the credit rating, and it appears there is, it is just what it was when this government inherited the responsibilities of office.

**Mr. F. S. Miller:** The House may not believe me, or the Treasurer may not. I hope it will believe Standard and Poor's, who said: "In addition, no mention was made in the Treasurer's statement of new revenue-raising efforts. Consequently, the willingness of the new government to address the projected financial imbalance will apparently not become clear until the government presents its first budget." Therefore, they made their decision.

It is as if the Treasurer went to his banker and said: "I think I will soon be broke. I think I am going to go bankrupt. Will you lend me money?" When will the Treasurer learn to make such statements not in a speculative but in a complete way, in a budget, and not cost the taxpayers of this province tens of millions of dollars as, in one stroke of the pen, he has now done?

Interjections

**Mr. Speaker:** Order.

**Hon. Mr. Nixon:** It was apparent in my statement that it was not a budgetary statement, nor a mini-budget. It was quite clear it was a statement reviewing the finances of the province as the outgoing government released the seals of office to our control. It is quite clear, as far as revenues are concerned, this must be part of a budget. I stated clearly that these statements and the budget itself will be in October, and that in the meantime we are doing our best to reduce the costs of government by careful re-examination of the commitments made by the previous administration, many of them in the dying days and hours before it was defeated in this House.

**Mr. Rae:** Can the Treasurer tell us what kinds of documents have been left behind, indicating projected deficits of \$1.2 billion in 1985-86 and in 1986-87? This information, we have reason to believe, was part of the basis for Standard and Poor's decision last summer.

**Mr. F. S. Miller:** The leader of the third party is on his side again.

**Mr. Rae:** The member has made a fool of himself once today. If he wants to do it twice, that is up to him. It is entirely in his hands. If he wants to shoot himself in the other foot, he should go ahead and do it; I do not mind.

Interjections.

**Mr. Speaker:** Order. Final supplementary. I am sure you have just come to that point.

**Mr. Rae:** Yes, Mr. Speaker; I was just having a bit of fun.

Would the Treasurer tell us, on the basis of material that has been made available to him, whether it is true there were projections lying around the Treasury showing deficit figures of \$1.2 billion in 1985-86 and in 1986-87, which were the basis of the reprieve that was granted to the government of Ontario last year?

**Hon. Mr. Nixon:** Of course there were no documents lying around involving the decisions made by the previous government; but as far as that is concerned, it was quite clear from the statements made in this House by the former Treasurer during the debate last fall that if the ratios of our debt payments to our revenues got to the point that they could not be supported by a net cash requirement of more than \$1.2 billion, there was certainly an aura of jeopardy around the credit rating. We recall the stories that were written, in the local, reliable press, of the former Treasurer and the former Premier being summoned to New York to justify the jeopardy they had already led the province into as far as its credit rating was concerned.

I have already referred to the House the sorry tale of hospital financing that was postponed by the former Premier—and acted upon by the present Premier—in such an inadequate way. The figures presented to this government indicated that the former government had decided not to raise taxes in any significant way and therefore its expenditures, correlated with the growth that everybody is projecting for this province, would leave a deficit of \$2.2 billion. This is precisely what the people of Ontario had to have as their information.

#### MUNICIPAL GRANTS

**Mr. Breaugh:** I have a question for the Minister of Municipal Affairs. Is he aware of the study by the Federation of Canadian Municipalities on municipal infrastructure in Canada? According to their survey, there will be needed over the next 10 years about a 27 per cent



increase for roads, bridges, sewage treatment plants and things of that nature, which really works out to about \$250 million a year. What plans does the government have to meet this really serious decline in the infrastructure and funding for municipalities?

**Hon. Mr. Grandmaitre:** I would like to assure the member that my ministry is aware of the FCM demands or projections. We are looking into the possibility of accommodating them, but at the present time it is still in the study process.

2:50 p.m.

**Mr. Breagh:** According to the study, the provincial portion of funding for projects of this nature has dwindled in some cases to as low as two per cent, 2.1 per cent and 2.8 per cent, but the federal portion has dwindled to absolutely zero in most cases. What steps will the minister take to see that the federal government of Canada returns to the funding of these municipal projects so there is at least some fairness and balance in the funding for this whole infrastructure?

**Hon. Mr. Grandmaitre:** I agree with the member that there are some disparities. The Ministry of Transportation and Communications is also doing a study. Once the two studies are finalized, I will be able to give him a fuller answer.

#### MEDICAL TRANSPORTATION

**Mr. Hennessy:** I have a question for the Minister of Health. When is the minister going to make public the details and regulations of the program regarding transportation costs for people from northwestern Ontario who have to travel for medical reasons from northwestern Ontario to Toronto and other areas?

**Hon. Mr. Elston:** The honourable member may or may not know—I am not certain—that we have already made initial contacts with a number of members to start discussion processes with respect to our program. My parliamentary assistant has already taken up considerable hours in setting forth some details of the program and discussions have been under way in an informal form with a number of people.

We expect that within the next few weeks or so there will be further consultation, not only in northwestern Ontario but also in northeastern Ontario, to ensure that our program adequately addresses the needs that are there.

I thank the member for addressing this question to me. He will be one of the members with whom I will request my parliamentary assistant to speak directly on the matter.

#### PETITIONS

##### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Charlton:** I have a petition from a number of residents of Hamilton Mountain, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of the Roman Catholics to maintain the special character of their separate schools."

**Mr. Laughren:** I have a number of petitions to the Lieutenant Governor and the Legislative Assembly of Ontario concerning the need to have substantial debate on the extension of separate school funding before it is implemented by this chamber.

**Mr. Charlton:** I have another petition from a number of residents of Hamilton Mountain and the surrounding area, which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to call on the government to debate the issue of extension of public funding to separate secondary schools prior to implementation, such debate to include consideration of the issue by an appropriate committee of the House with an opportunity provided for people to appear and be heard."

#### MOTIONS

##### SUMMER RECESS

Hon Mr. Nixon moved that when the House adjourns today it stand adjourned until October 15, 1985, provided that, if it appears to Mr. Speaker, on the advice of the government, that the public interest requires the House to meet at an earlier time during the adjournment, Mr. Speaker may give notice, and thereupon the House shall meet at the time stated in such notice; and that should Mr. Speaker be unable to act owing to illness or other cause, the Deputy Speaker or the Deputy Chairman of committees of the whole House shall act in his stead for the purposes of this order.

Motion agreed to.

#### COMMITTEE REPORTS

Hon. Mr. Nixon moved that the standing committee on procedural affairs and agencies,

boards and commissions and the select committee on economic affairs be authorized to release their reports during the summer adjournment by depositing a copy of any report with the Clerk of the assembly, and upon the resumption of the sittings of the House, the chairman of such committees shall bring any such reports before the House in accordance with the standing orders.

Motion agreed to.

#### STANDING COMMITTEE ON PROCEDURAL AFFAIRS AND AGENCIES, BOARDS AND COMMISSIONS

Hon. Mr. Nixon moved that the evidence taken before the standing committee on procedural affairs in the recess between the fourth and fifth sessions of the 32nd Parliament with respect to its 10th review of agencies, boards, and commissions be referred to the standing committee on procedural affairs and agencies, boards and commissions.

Motion agreed to.

#### VENUE OF COMMITTEES

Hon. Mr. Nixon moved that during the summer adjournment the standing committee on procedural affairs and agencies, boards and commissions be authorized to adjourn from place to place, and that the standing committees on resources development and social development be authorized to adjourn from place to place in Ontario.

Motion agreed to.

#### INTRODUCTION OF BILLS

##### FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Hon. Mr. Scott moved, seconded by Hon. Mr. Conway, first reading of Bill 34, An Act to provide for the Freedom of Information and Protection of Individual Privacy.

Motion agreed to.

##### CHARITY HOUSE (WINDSOR) ACT

Mr. Newman moved, seconded by Mr. McKessock, first reading of Bill Pr21, An Act respecting Charity House, Windsor.

Motion agreed to.

##### PAULINE MCGIBBON CULTURAL CENTRE ACT

Ms. Fish moved, seconded by Mr. Brandt, first reading of Bill Pr5, An Act respecting the Pauline McGibbon Cultural Centre.

Motion agreed to.

#### EDUCATION AMENDMENT ACT

Mr. Grande moved, seconded by Ms. Bryden, first reading of Bill 35, An Act to amend the Education Act.

Motion agreed to.

**3 p.m.**

**Mr. Grande:** Our amendments to the Education Act are basically to sections 34, 35 and 36 of the act, which deal with the placement of hard-to-serve pupils. They are replaced by a new section 34 that places a duty on boards to provide appropriate educational programs for all children and gives parents and pupils a right to appeal to the Ontario special education board all decisions of placement committees.

#### CITY OF NIAGARA FALLS ACT

Mr. Haggerty moved, seconded by Mr. D. R. Cooke, first reading of Bill Pr10, An Act respecting the city of Niagara Falls.

Motion agreed to.

#### CITY OF ST. CATHARINES ACT

Mr. Partington moved, seconded by Mr. Villeneuve, first reading of Bill Pr6, An Act respecting the city of St. Catharines.

Motion agreed to.

#### PUBLIC VEHICLES AMENDMENT ACT

Mr. Mackenzie moved, seconded by Ms. Bryden, first reading of Bill 36, An Act to amend the Public Vehicles Act.

Motion agreed to.

**Mr. Mackenzie:** This bill would prohibit passengers from occupying the part of the bus or streetcar to the immediate right of the driver's seat after the driver has asked them to clear that area.

#### ENOCH TURNER SCHOOLHOUSE FOUNDATION ACT

Mr. Offer moved, seconded by Mr. Polsinelli, first reading of Bill Pr23, An Act respecting the Enoch Turner Schoolhouse Foundation.

Motion agreed to.

#### ORDERS OF THE DAY

##### CREDITORS' RELIEF AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 15, An Act to amend the Creditors' Relief Act.

**Hon. Mr. Scott:** On behalf of the new government, I am pleased to assume carriage of



this bill which was moved by the previous Attorney General.

The bill was originally intended as part of the family law review announced by the former Attorney General in December 1982. It was anticipated this review would take place in time to come into force on January 1, 1985, which is when the amendments to our statutes and the rules of court dictated by the report of the Williston commission on civil procedure came into effect.

Under section 30 of the Family Law Reform Act of 1978, creditors under a support order had a limited form of priority over ordinary judgement debts. The former government apparently never intended to take that priority away, but rather to expand it so it was available not just to creditors who had obtained an attachment of wages to enforce their support orders but also to all support creditors no matter what means of enforcement they chose to adopt. This bill is designed to accomplish that particular purpose.

The subject of enforcing support orders has been discussed in recent years by the Ontario Law Reform Commission, the federal-provincial committee on enforcement of support and custody orders and by the Uniform Law Conference of Canada at its 1984 meeting. All bodies have recommended the adoption of legislation that would give support creditors priority over ordinary judgement debts, the latter two recommending the priority extend to 12 months' arrears.

The bill also contains some technical provisions designed to clarify the procedures involved in the enforcement of support orders.

It is my intention to ask that the bill be considered briefly in committee of the whole House in order to make a further modest amendment requested by the rules committee of the Supreme Court and district courts.

**Ms. Gigantes:** On behalf of my colleagues, I would like to express our support for this bill. I hope this one works.

**Mr. O'Connor:** On behalf of my party, I also heartily endorse this bill. I would remind this House it was originally proposed by the Attorney General of the previous government. We are therefore in favour of the bill and will support it at all stages. We agree now it should be referred to committee of the whole.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

## CREDITORS' RELIEF AMENDMENT ACT

Consideration of Bill 15, An Act to amend the Creditors' Relief Act.

Section 1 agreed to.

On section 2:

**3:10 p.m.**

**Mr. Chairman:** Hon. Mr. Scott moves that section 2 be amended by renumbering subsections 2(1), 2(2) and 2(3) as 2(2), 2(3) and 2(4) respectively and by adding thereto the following subsection 2(1):

2(1) Subsection 4(2) of the said act is repealed and the following substituted therefor:

4(2) Payment of the debt shall be made to the sheriff of the county in which the debtor resides, or if the debtor resides outside the province, to the sheriff of the county in which the proceeding that gave rise to the judgement was commenced.

Section 2, as amended, agreed to.

Sections 3 to 6, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Nixon, the committee of the whole House reported one bill with a certain amendment.

## AUTOMOBILE IMPORTS

Hon. Mr. O'Neil moved, on behalf of Hon. Mr. Peterson, seconded by Mr. F. S. Miller and Mr. Rae, resolution 8:

That it is the opinion of the Legislative Assembly of Ontario that the failure of the government of Canada to negotiate an effective agreement with Japan to limit auto imports threatens Ontario jobs and the province's major industrial sectors; that the federal government's failure to deal with other offshore producers further threatens domestic production; and that the government of Canada should move beyond short-term auto quotas and instead introduce Canadian content legislation which will require automotive producers selling extensively in Canada to provide jobs and production in our market.

**Hon. Mr. O'Neil:** As many members of this House have stated on previous occasions, the Ontario economy depends greatly on a strong automotive industry. It is a large employer and it provides the largest domestic market for many other sectors of our economy.

While the industry has rebounded from the 1980-82 recession and prepared itself for the future through large capital investments, we are concerned that a significant share of the Canadian market has been captured by foreign vehicle

manufacturers. Not all of these manufacturers have committed themselves to undertaking productive investment in our economy.

This lack of investment represents a long-term erosion of our industry, especially when one considers that these foreign vehicle manufacturers have committed over \$3.6 billion in investment in the United States, the principal market for 80 per cent of our production. A linkage must be established between success in our automotive markets and automotive investment in our economy.

While we are aware the federal government has been trying to establish this linkage in the formal sense, during the last four years it has not met with much success. Quite clearly, stronger measures are required. Therefore, I am introducing a resolution to the House which asks the federal government to consider all possible measures not limited to, but including, domestic content legislation. The purpose is to ensure that all vehicle manufacturers that enjoy significant success in the Canadian automotive market do recognize their obligation and undertake productive auto-related investment in our economy.

**Mr. Brandt:** I am delighted to participate in the debate and support the motion that is before the House and to congratulate my colleague the Minister of Industry and Trade (Mr. O'Neil) on bringing the motion forward.

In many respects the auto industry is not only Ontario's but perhaps also Canada's most important industry. It is an extremely labour-intensive industry and one that brings with it a great deal of technological innovation which our province and our country need very badly.

It is the duty of this House, and certainly of our party, to support this industry. I think it is our duty and obligation to protect the industry in every way we can.

A substantial number of communities depend on the auto industry in Ontario for their economic survival. Communities such as Windsor, Oshawa and a great many others could be enumerated at this time. In many of those communities, enormous investments have already been made in order to improve on the competitiveness of those industries and to secure some of the long-term jobs which are associated with those industries. We are thankful, as the minister has already mentioned, that historic employment levels have again been reached as a result of coming out of the recession and returning to a greater level of buoyancy in the auto industry. At this point, it would be fair to ask: What is the problem?

We have technological innovation, we have a very vibrant industry, we have job levels which are back up to historic highs, but what we have had, in recent years, is a rather massive increase in imports, particularly from two countries, Japan and Korea. With regard to the number of vehicles that they are exporting to our country, these two countries now absorb more than 20 per cent of the Canadian market. To protect Ontario industry and, more important, to protect Ontario jobs, we need some form of quotas. We need some form of protective barriers, if you will, an instrument that will allow us to regulate the market to a certain extent.

I would say for those who are antiprotectionist with respect to the quota system that virtually every country in the world has some form of quota at the present time. If one looks at our European friends and the number of automobiles they allow to be imported into their countries from other parts of the world, it is really a very small percentage of what is allowed into our own country. We are being relatively open and relatively good trading partners with respect to the kind of position we have taken up until this time.

However, with other countries in the world establishing very stringent quotas, we are simply asking for an opportunity in Ontario and in Canada to protect the jobs we have now. I say that because there are a number of differences. When one takes a look at the manufacturing base of Ontario and the manufacturing base of either Japan or Korea, the first and the most obvious difference is that in many of those countries the wage rates are considerably lower. As an example, the Hyundai Co. which manufactures the Pony car in Korea has a wage rate which is approximately \$2 or \$2.50 an hour, compared to almost 10 times that level here in our own country.

Their environmental laws are certainly less stringent, as are their labour laws and occupational health and safety legislation. There is a whole myriad of legislation which is in place in our country which is good, valid legislation that we have worked hard for with respect to the societal structure we have here. However, that is an expensive part of the total cost component in any automobile. Therefore, we need to be very protective about our market in order to establish a somewhat more equitable relationship between the price of a car that can be exported from another country into Canada and the price it costs us to produce cars right here in our own country.



For all of these reasons, our party will support any measures that protect our jobs in Ontario, and, to the extent that we can, we will protect those jobs from unreasonable foreign competition. I underline the word "unreasonable." We are not talking about stopping the importation of autos, but we are talking about being somewhat more sensitive with regard to the response of the federal government than is the case at the present time.

I realize we are on a relatively tight time schedule with respect to our comments this afternoon, so I will stop at this point, other than to say that we wholeheartedly join hands with the government in taking whatever measures are necessary to protect this very vital, important and critical industry to Ontario.

**Mr. Rae:** I am delighted to join in support of this jointly drafted and jointly moved resolution, and I am delighted to hear the member for Sarnia (Mr. Brandt) say he is going to be holding hands with the government. As we adjourn for the summer, that is an appropriate note on which to—

**Mr. Brandt:** On this issue.

**3:20 p.m.**

**Mr. Rae:** I am just quoting from memory—on this issue.

Just before being elected to this House and before assuming leadership of this party, I was a guest of the European Community as a community fellow. I spent about a month studying the steel industries in Europe as well as its car industry. They have a common market over there. All 10 western European countries are involved with a common market in which there is supposed to be complete free trade among all those countries.

I went from country to country and talked with their trade ministers and trade officials, with their industry people and planners and with the people in the car industry itself, whether it was Renault, Volkswagen or British Leyland, which was a going concern at that time. I talked about the common market. I would say: "How does it work in this common market situation where you have free trade in the car business?" They would say: "Cars are a little bit different. We do not actually have free trade; we have content requirements."

In the case of the French, they did not have content requirements so much as they had all sorts of other nontariff barriers. The wheels had to be a certain distance apart, they had to be a certain kind of wheel, they had to get a certain kind of licence, which might take a year and a half to obtain, to get the car into the country. There are all sorts of ways of dealing with the

realities of the car industry and the kind of trade that goes on in that industry.

Not only were all those countries trying to negotiate a collective arrangement with the government of Japan, but many of them had individual relations with Japan. For example, in Belgium, Japan had a commitment to assemble cars; in Britain, they had a commitment to assemble cars there. The trend and the clear direction of public policy in those countries were crystal-clear. They were not prepared to see an industry that was integral to their national economies simply going the way of all flesh. They were determined to see that there was fair trade for that industry and that there was intelligent, aggressive planning by government for and with that industry.

Whether the industry was publicly owned, as is the case in many European countries where state-owned corporations are directly involved in the car business, or privately owned, all those countries had reached a consensus on one public policy. They were not going to let their car industry go by the boards in the name of some abstraction called free trade.

We have been making cars in Ontario for nearly 100 years. If one goes back and looks at the history of the car industry in this province, one will see an industry that has been integral to the life of the people of this province for nearly 100 years. One now sees an industry that employs hundreds of thousands of workers in this province, where the economic wellbeing of dozens of communities across the province depends on the car industry and where governments have consistently taken the position in the past 25 years that the car industry demands some special understanding and some special leadership from government.

Sometimes when we hear about free trade with the United States, people point to the car industry and say: "We have an auto pact with the United States; therefore, we have free trade with the United States. The auto pact should be the model for the rest of industry." I heard that during the election campaign. In my riding we had all-candidates' meetings—not among the leaders, needless to say—where people were talking in that language.

I can only say that there is no free trade in the car industry between Canada and the United States. The auto pact is not a free-trade arrangement. It is an arrangement that says very clearly to the Big Three manufacturers: "If you want to trade directly in Canada and to penetrate extensively our markets, you are going to have to

add value in Canada." That is the basis of the auto pact.

I believe we should be extending the rationale and the logic of the auto pact to the rest of the car industry and to offshore producers so we say to the Hyundais, Toyotas and anybody else that wants to penetrate extensively in the market in this country: "We have a car industry in this province; invest here. We have no objection to your trading, we have no objection to your coming in and we have no objection to your providing a service for consumers as long as you are prepared to invest in an industry that is crucial for the future survival of Ontario when it comes to its economy." That is what content requirements are all about.

If one goes down the list of other countries, such as Australia, Argentina, New Zealand, South Korea, India, Indonesia and Mexico, and looks at what they are doing, each and every one of them has reached the conclusion and the decision that its car industry is one in which government has to play a leading role and for which it is crucial to have content legislation.

Briefly, Japan has invested about \$5 billion in the United States and about \$120 million in Canada. If we were to get the same arrangement in Canada as they have in the United States, we would quadruple the amount of Japanese investment in Canada today. One European company, BMW, which sold only about 4,000 vehicles in Canada, purchased more parts from Canadian suppliers than did all the Japanese companies. In 1984, our auto trade deficit with Japan reached \$2 billion.

The development with South Korea and the Hyundai car is an indication of how quickly these things can go. Who in this House three years ago had ever heard of a Pony? Who in this House three years had ever heard the name Hyundai? Yet in the space of three years that company has managed to penetrate Canadian markets so that about one sixth of its total production finds its way into Canada. What South Korea has done in the past three years, virtually any other country in the world could do if it decided that was the direction in which it wanted to go.

Members may want to know that Malaysia has just announced it is in the car business with the production of the Proton Saga, as it is called, which has been described as Malaysia's first national car. According to press reports, it hopes soon to have enough production to begin exporting.

That is the first thing we have to deal with. The second thing we have to deal with is what is

happening with the Big Three themselves. The development of the world car means General Motors can have an engine plant in Mexico, a production plant in Brazil, an axle plant in Spain and a transmission plant somewhere else in the world. Those decisions are made on a tough and ruthless basis by companies that are in the business of maximizing profit; that is the nature of the game.

If we are to get our fair share of parts production in this country, there has to be a commitment that we will do more to ensure domestic investment in exchange for a share of domestic market. For those who say, "That offends the rules of free trade," all I can say is that when everybody else in the world is doing that and is saying there has to be some protection for the domestic market, it would be incredibly foolish for Canada to say: "We are not interested. We are going to carry on as the last Boy Scout in the world."

I hope the Treasurer (Mr. Nixon) and the Minister of Industry, Trade and Technology will take this resolution. I hope it is a resolution we can make stick because it is extremely important. My colleagues the member for Windsor-Riverside (Mr. D. S. Cooke) and the member for Oshawa (Mr. Breagh) have been pressing for years in this House to get an all-party resolution. All of us are determined to take a move on this.

We support the resolution. We participated in the drafting of it and we are delighted it is going to become the policy of the government of this province, because it is a policy that makes sense for all the people in Ontario.

Motion agreed to.

3:30 p.m.

#### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Grandmaitre moved second reading of Bill 26, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

Third reading also agreed to on motion.

#### THIRD READINGS

The following bills were given third reading on motion:

Bill 32, An Act to amend the Workers' Compensation Act;

Bill 15, An Act to amend the Creditors' Relief Act.

**Hon. Mr. Nixon:** Mr. Speaker, we understand His Honour the Lieutenant Governor will



be attending the Legislature in the next few moments to give royal assent.

### LEGISLATIVE PAGES

**Mr. Speaker:** Just before that takes place, I have received a note from the pages, and I would like to put this on record:

"The pages would like to thank all the members of the House, the clerks and all House officials for supporting us and being understanding through our term of duty. When we go home, we will remember you and your hospitality. A special thank-you to our supervisor, Ms. Trudy Niesen, and Mr. Speaker. Thank you all."

I know we want to thank the pages for their great job.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

### ROYAL ASSENT

**Hon. Mr. Aird:** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request your Honour's assent.

**Assistant Clerk:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 15, An Act to amend the Creditors' Relief Act.

Bill 26, An Act to amend the Municipality of Metropolitan Toronto Act.

Bill 32, An Act to amend the Workers' Compensation Act.

**Clerk of the House:** In her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

### TRIBUTES TO LIEUTENANT GOVERNOR

**Hon. Mr. Peterson:** It is with a little sadness that I begin my remarks today because they signal the end of one of the happiest associations in this province's history, the term of the Honourable John Black Aird as Ontario's 23rd Lieutenant Governor.

As His Honour will be leaving his post in September, this is the last scheduled sitting of this assembly while he is serving as Her Majesty's representative in this province. I am certain all in this House will wish to join me in thanking him for his able and diligent handling of the duties of his high office.

It has been his task to serve as Lieutenant Governor during some rather tumultuous days. At no time has he taken sides, on no occasion has he displayed even a hint of partisanship. He has always shown humanity in the service of this great province. That will surely form a major portion of his lasting legacy to the people of Ontario.

He has always been just as thoughtful a friend to small children as he is a loyal and conscientious representative of Her Majesty. To those of us in this House, he is known as the Honourable John Black Aird. To Lindsay Eberhardt, whose cause he championed, he is known simply as Uncle John. To the sick and disabled of this province, he is known as a friend.

It was this special friendship that prompted him to learn sign language to better communicate with all people in this province. He has singled out for deserved attention many Ontarians who are considered disabled but possess what he calls special ability.

3:40 p.m.

He has generously served as patron and sponsor of many worthy endeavours, all aimed at allowing people in this province to share in everything it has to offer. He has fulfilled his duties with diligence, integrity and humour, and I might add he serves an excellent glass of brandy.

I began by noting in my remarks that there was some sadness, but that feeling is abated by the knowledge that he will continue to contribute to the welfare of this great province.

On behalf of the government, I am privileged to thank His Honour and his wife, Jane, and to wish them all the very best in their future endeavours.

**Miss Stephenson:** Your Honour, we too should like to take this opportunity to express our most sincere appreciation to you for the grace, the dignity and the compassion which you have brought to your duties.

Her Majesty's loyal opposition believes the tenure of the Honourable John Black Aird will be remembered in particular for the generous, tremendous amount of time and effort you have devoted to those in our society less privileged than most. I refer specifically of course to those with special abilities.

We believe it is necessary that Her Majesty's representative be accessible to all the citizens of the province regardless of their economic or social circumstance. His Honour the Lieutenant Governor has practised that philosophy and has made it a trademark of his office.

The role of Lieutenant Governor has traditionally been seen as primarily ceremonial. The Honourable John Black Aird has respected this required pomp and ceremony of the office; but to this he has added the common touch, the humanity, bringing contemporary relevance to a historical procedure.

As we well know, his tenure was touched by a great deal of drama and tension during the period immediately following the May 2 election. During those difficult weeks His Honour dealt with the situation with great dignity and total objectivity.

We are particularly thankful to him for the social warmth and friendship he extended to all members of the House, but in particular to the leaders on both sides of this House during that period of time. I know our leader will long remember his personal kindness to him.

Lieutenant Governor John Black Aird had very big shoes to fill when he entered this office. I think, however, the person chosen to have the honour of being our next Lieutenant Governor will have even greater shoes to fill and will sense the huge challenge that is inherent in following in the footsteps of the Honourable John Black Aird. Thank you, sir.

**Mr. Rae:** Your Honour, it is a pleasure for me again to address you and the House on the quality of your service. I was lucky enough to be present at the wonderful dinner that was held for you at the Beth Sholom synagogue. It was an evening I will always remember, an evening of great emotion, where the member for Don Mills (Mr. Timbrell) spoke very eloquently on behalf of the Conservative Party on that occasion.

I want to say just a few things that I said at that time, because I really think there are some qualities that you have, sir, from which we and the province have benefited enormously. I think it is very appropriate for us to be taking a special time at the end of a somewhat loony day to express these thoughts.

I said at that time that Abraham Lincoln had a very good phrase which I have always felt was so apt, that when you take the measure of a person you measure him around the heart. Sometimes politicians think you might measure him around the head, but luckily I think that is quite inappropriate.

The Lieutenant Governor has shown tremendous qualities of heart in this job. It would be so easy to allow the pomp and circumstance and the ceremony to get in the way of people, but he has never allowed that to happen. As has been said by the Premier and by the member for York Mills,

the Lieutenant Governor has always shown an extraordinary ability to relate to everyone in this province, including the very special relationship he has developed with the handicapped and those with special disabilities.

I think of the times I have seen the Lieutenant Governor at Variety Village, the games he organized for the handicapped and the special time he has taken with people; particularly the moments when there were no reporters there, no cameras going, just he and perhaps a little boy or girl with a special disability, and he was taking the time to talk, to share, to hold them and talk to their parents and show the love and affection he so obviously feels.

In a personal way, if I may say so, the Lieutenant Governor put me at ease the very first time I met him when I went to see him as the newly elected leader of the third party. We have had many dealings since then. Both Arlene and I would like to say thank you for the friendship the Lieutenant Governor has given us and shared with us. It is a friendship I know will last well outside the confines of Queen's Park and the particular job he now holds.

Reference has been made to the tension of the past few months. I do not know what tension anybody is referring to. The Lieutenant Governor certainly acted on the occasions I met him with extraordinary dignity and great reserve. I seem to recall we had coffee at that time, but this was very early after the election. It was at nine o'clock in the morning. It would have been inappropriate to have anything else.

I know I speak on behalf of all the members of my caucus. We want to thank the Lieutenant Governor for his quality of service, for the grace with which he has served the people of this province and to wish him the very best. I know he will keep on working. I understand my colleague the member for Sudbury East (Mr. Martel) has roped the Lieutenant Governor into doing some work on hockey violence. I know I have several projects I would like to get him involved with, and I suspect others will as well.

The Lieutenant Governor has set such high standards for all of us in public life. It is a great moment at the end of the session for us to reflect that public service does produce some extraordinary people. The Lieutenant Governor is certainly one of them.

**Hon. Mr. Aird:** This is a rather unprecedented day. Would members mind if I said a few words? Please be seated.

I do not really think one steps into anyone's shoes. I think perhaps one does follow in



footsteps. Ontario has had a great tradition of Lieutenant Governors. I think the words that have been expressed here today about me are a reflection of many years of service by those who went before me.

I thank all members. I thank the Premier, the member for York Mills and the member for York South. I accept what they had to say without false pride or false humility. Serving Her Majesty, representing Her Majesty, and through that representation serving the province of Ontario and the people of Ontario, has to be one of the greatest privileges one could have in one's lifetime.

**3:50 p.m.**

Therefore, when I come here today, I suppose on an historic occasion, I do so with a little bit of a song in my heart because the past five years

have been perfectly wonderful for me. I have seen the people and the province, and that is an experience not many people truly have. It has been wonderful for Jane and I to have had the support of every member of this assembly every place we have gone. When I say goodbye this afternoon, as I do, it is with some regret. But it is also with some joy because I believe this tradition will be carried on.

If I might add a very personal note, it is a pleasure to come in here, not to read somebody else's speech, not to nod my head in solemnity, but to be with people I truly regard as my friends. I thank you all.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House adjourned at 3:58 p.m.

## ERRATUM

No.	Page	Column	Line	Should read:
20	746	1	6	
Mr. Rae, agreed to . . . . .				721

**Adjournment debate**

## APPENDIX

## ALPHABETICAL LIST OF MEMBERS\*

(125 members)

First Session, 33rd Parliament

**Lieutenant Governor: Honourable J. B. Aird, OC, QC****Speaker: Hon. H. A. Edighoffer****Clerk of the House: R. G. Lewis, QC**

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 Baetz, R. C. (Ottawa West PC)  
 Barlow, W. W. (Cambridge PC)  
 Bennett, C. F. (Ottawa South PC)  
 Bernier, L. (Kenora PC)  
 Bossy, M. L. (Chatham-Kent L)  
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 Bryden, M. H. (Beaches-Woodbine NDP)  
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 Charlton, B. A. (Hamilton Mountain NDP)  
**Conway, Hon. S. G.**, Minister of Education (Renfrew North L)  
 Cooke, D. R. (Kitchener L)  
 Cooke, D. S. (Windsor-Riverside NDP)  
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**Curling, Hon. A.**, Minister of Housing (Scarborough North L)  
 Davis, W. C. (Scarborough Centre PC)  
 Dean, G. H. (Wentworth PC)  
**Eakins, Hon. J. F.**, Minister of Tourism and Recreation (Victoria-Haliburton L)  
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**Fulton, Hon. E.**, Minister of Transportation and Communications (Scarborough East L)  
 Gigantes, E. (Ottawa Centre NDP)

Gillies, P. A. (Brantford PC)  
 Gordon, J. K. (Sudbury PC)  
 Grande, T. (Oakwood NDP)  
**Grandmaitre, Hon. B. C.**, Minister of Municipal Affairs (Ottawa East L)  
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 Grier, R. A. (Lakeshore NDP)  
 Grossman, L. S. (St. Andrew-St. Patrick PC)  
 Guindon, L. B. (Cornwall PC)  
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**Keyes, Hon. K. A.**, Solicitor General and Minister of Correctional Services (Kingston and the Islands L)  
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**Kwinter, Hon. M.**, Minister of Consumer and Commercial Relations (Wilson Heights L)  
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 Marland, M. (Mississauga South PC)  
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 McGuigan, J. F. (Kent-Elgin L)  
 McKessock, R. (Grey L)  
 McLean, A. K. (Simcoe East PC)  
 McNeil, R. K. (Elgin PC)  
 Miller, F. S. (Muskoka PC)  
 Miller, G. I. (Haldimand-Norfolk L)  
 Mitchell, R. C. (Carleton PC)



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 Morin-Strom, K. (Sault Ste. Marie NDP)  
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 Newman, B. (Windsor-Walkerville L)  
**Nixon, Hon. R. F.**, Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)  
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 Wildman, B. (Algoma NDP)  
 Wiseman, D. J. (Lanark PC)  
**Wrye, Hon. W. M.**, Minister of Labour (Windsor-Sandwich L)  
 Yakabuski, P. J. (Renfrew South PC)

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Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs  
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
 Conway, Hon. S. G., Minister of Education  
 Bradley, Hon. J. J., Minister of the Environment  
 Caplan, Hon. E., Chairman of the Management Board of Cabinet and Minister of Government Services  
 Fontaine, Hon. R., Minister of Northern Affairs and Mines  
 Scott, Hon. I. G., Attorney General  
 Riddell, Hon. J. K., Minister of Agriculture and Food  
 Eakins, Hon. J. F., Minister of Tourism and Recreation  
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy  
 O'Neil, Hon. H. P., Minister of Industry, Trade and Technology  
 Sweeney, Hon. J., Minister of Community and Social Services  
 Elston, Hon. M. J., Minister of Health  
 Wrye, Hon. W. M., Minister of Labour  
 Grandmaitre, Hon. B. C., Minister of Municipal Affairs  
 Curling, Hon. A., Minister of Housing  
 Fulton, Hon. E., Minister of Transportation and Communication  
 Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services  
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations  
 Munro, Hon. L. O., Minister of Citizenship and Culture  
 Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development

Van Horne, Hon. R. G., Minister without Portfolio  
 Ruprecht, Hon. T., Minister without Portfolio

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 Epp, H. A., assistant to the Treasurer (Waterloo North L)  
 Ferraro, R. E., assistant to the Minister of Industry, Trade and Technology (Wellington South L)  
 Haggerty, R., assistant to the Minister of Government Services (Erie L)  
 Henderson, D. J., assistant to the Minister of Community and Social Services (Humber L)  
 Mancini, R., assistant to the Premier (Essex South L)  
 McGuigan, J. F., assistant to the Minister of Natural Resources and the Minister of Energy (Kent-Elgin L)  
 McKessock, R., assistant to the Solicitor General and Minister of Correctional Services (Grey L)  
 Miller, Mr. G. I., assistant to the Minister of Agriculture and Food (Haldimand-Norfolk L)  
 Offer, S., assistant to the Minister of Consumer and Commercial Relations (Mississauga North L)  
 Poirier, J., assistant to the Minister of the Environment (Prescott-Russell L)  
 Polsinelli, C., assistant to the Minister of Labour (Yorkview L)  
 Reycraft, D. R., assistant to the Minister of Education (Middlesex L)  
 Sargent, E. C., assistant to the Minister of Tourism and Recreation (Grey-Bruce L)  
 Ward, C. C., assistant to the Minister of Health (Wentworth North L)

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Procedural affairs and agencies, boards and commissions: chairman, Mr. Breaugh; vice-chairman, Mr. Mancini; members, Mr. Bossy, Mrs. Marland, Messrs. McCaffrey, McClellan, Morin, Newman, Sterling, Treleven and Warner; clerk, S. Forsyth; assistant clerk, T. Decker.

Public accounts: chairman, Mr. Eves; vice-chairman, Mr. Runciman; members, Messrs. Cordiano, Epp, Gillies, Harris, Leluk, Philip, Polsinelli, D. W. Smith and Wildman; clerk, F. Carrozza.

Regulations and private bills: chairman, Mr. Callahan; vice-chairman, Mr. Offer; members, Mr. Bossy, Ms. Bryden, Messrs. Cousens, Grande, McKessock, G. I. Miller, Pollock, Turner and Yakabuski; clerk, D. Deller.

Social development: chairman, Mr. R. F. Johnston; vice-chairman, Mr. Allen; members, Messrs. D. S. Cooke, Davis, Guindon, Henderson, Jackson, Offer, Reycraft, D. W. Smith and Timbrell; clerk, L. Mellor.

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Energy: chairman, Mr. Andrewes; members, Messrs. Ashe, Charlton, Cureatz, Gordon, Mrs. Grier, Messrs. Haggerty, McGuigan, McLean, Sargent and Ward; clerk, F. Carrozza.

Environment: chairman, Mr. Knight; members, Mr. Brandt, Ms. Fish, Messrs. Gillies, Haggerty, Poirier, Sargent, Shymko and South.

Health: chairman, Mr. Callahan; members, Messrs. Elgie, Henderson, Mancini, Partington, Pierce, Pope, Reycraft and Ward.

\*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.



## CONTENTS

Friday, July 12, 1985

## Statements by the ministry

Conway, Hon. S. G., Minister of Education:	
<b>French-language education</b> .....	752
Curling, Hon. A., Minister of Housing:	
<b>Housing ministers' conference</b> .....	750
Eakins, Hon. J. F., Minister of Tourism and Recreation:	
<b>Ontario Place ride</b> .....	751
Scott, Hon. I. G., Attorney General:	
<b>Annual report, public complaints commissioner</b> .....	753
<b>Freedom of information</b> .....	753
Van Horne, Hon. R. G., Minister without Portfolio:	
<b>Senior citizens' services</b> .....	751
Wrye, Hon. W. M., Minister of Labour:	
<b>Plant shutdowns</b> .....	749

## Oral questions

Conway, Hon. S. G., Minister of Education:	
<b>Learning disabled</b> , Mr. Rae, Mr. Timbrell, Mr. Allen .....	756
Elston, Hon. M. J., Minister of Health:	
<b>Medical transportation</b> , Mr. Hennessy .....	765
Grandmaître, Hon. B. C., Minister of Municipal Affairs:	
<b>Municipal grants</b> , Mr. Breaugh .....	764
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Flooding</b> , Mr. Hayes .....	763
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Plant shutdowns</b> , Mr. Rae, Mr. Gillies, Mr. Morin-Strom .....	758
<b>Ontario finances</b> , Mr. F. S. Miller, Mr. Rae .....	763
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Former government's commitments</b> , Mr. F. S. Miller, Mr. D. S. Cooke, Mr. Grossman .....	755
<b>Former government's commitments</b> , Mr. J. M. Johnson, Mr. Jackson .....	760
<b>Former government's commitments</b> , Mr. Brandt, Mr. Barlow, Mr. Rae .....	761
Wrye, Hon. W. M., Minister of Labour:	
<b>First-contract disputes</b> , Mr. Mackenzie .....	760

## Petitions

<b>Roman Catholic secondary schools</b> , Mr. Charlton, Mr. Laughren, tabled .....	765
--	-----

## Motions

<b>Summer recess</b> , Mr. Nixon, agreed to .....	765
---	-----

<b>Committee reports, Mr. Nixon, agreed to</b> .....	765
<b>Standing committee on procedural affairs and agencies, boards and commissions,</b> Mr. Nixon, agreed to .....	766
<b>Venue of committees, Mr. Nixon, agreed to</b> .....	766

#### **First readings**

<b>Freedom of Information and Protection of Privacy Act, Bill 34, Mr. Scott, agreed to</b> ...	766
<b>Charity House (Windsor) Act, Bill Pr21, Mr. Newman, agreed to</b> .....	766
<b>Pauline McGibbon Cultural Centre Act, Bill Pr5, Ms. Fish, agreed to</b> .....	766
<b>Education Amendment Act, Bill 35, Mr. Grande, agreed to</b> .....	766
<b>City of Niagara Falls Act, Bill Pr10, Mr. Haggerty, agreed to</b> .....	766
<b>City of St. Catharines Act, Bill Pr6, Mr. Partington, agreed to</b> .....	766
<b>Public Vehicles Amendment Act, Bill 36, Mr. Mackenzie, agreed to</b> .....	766
<b>Enoch Turner Schoolhouse Foundation Act, Bill Pr23, Mr. Offer, agreed to</b> .....	766

#### **Government motion**

<b>Automobile imports, resolution 8, Mr. Peterson, Mr. O'Neil, Mr. Brandt, Mr. Rae,</b> agreed to .....	767
--	-----

#### **Second readings**

<b>Creditors' Relief Amendment Act, Bill 15, Mr. Scott, Ms. Gigantes, Mr. O'Connor,</b> agreed to .....	766
<b>Municipality of Metropolitan Toronto Amendment Act, Bill 26, Mr. Grandmaitre,</b> agreed to .....	770

#### **Committee of the whole House**

<b>Creditors' Relief Amendment Act, Bill 15, Mr. Scott, reported</b> .....	767
--	-----

#### **Third readings**

<b>Municipality of Metropolitan Toronto Amendment Act, Bill 26, Mr. Grandmaitre,</b> agreed to .....	770
<b>Workers' Compensation Amendment Act, Bill 32, Mr. Wrye, agreed to</b> .....	770
<b>Creditors' Relief Amendment Act, Bill 15, Mr. Scott, agreed to</b> .....	770

#### **Royal assent**

<b>The Honourable the Lieutenant Governor</b> .....	771
---	-----

#### **Other business**

<b>Visitor, Mr. Speaker</b> .....	749
<b>Legislative pages, Mr. Speaker</b> .....	771
<b>Tributes to Lieutenant Governor, Mr. Peterson, Miss Stephenson, Mr. Rae, Mr. Aird</b> ...	771
<b>Adjournment</b> .....	773
<b>Erratum</b> .....	773

#### **Appendix**

<b>Alphabetical lists of members of the Legislative Assembly of Ontario, members of the</b> <b>executive council, parliamentary assistants and members of committees</b> .....	774
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**SPEAKERS IN THIS ISSUE**

Aird, Hon. J. B., Lieutenant Governor  
Allen, R. (Hamilton West NDP)  
Barlow, W. W. (Cambridge PC)  
Brandt, A. S. (Sarnia PC)  
Breagh, M. J. (Oshawa NDP)  
Charlton, B. A. (Hamilton Mountain NDP)  
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Curling, Hon. A., Minister of Housing (Scarborough North L)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Elgie, R. G. (York East PC)  
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
Gigantes, E. (Ottawa Centre NDP)  
Gillies, P. A. (Brantford PC)  
Grande, T. (Oakwood NDP)  
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
Grossman, L. S. (St. Andrew-St. Patrick PC)  
Hayes, P. (Essex North NDP)  
Hennessy, M. (Fort William PC)  
Jackson, C. (Burlington South PC)  
Johnson, J. M. (Wellington-Dufferin-Peel PC)  
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
Laughren, F. (Nickel Belt NDP)  
Mackenzie, R. W. (Hamilton East NDP)  
Miller, F. S. (Muskoka PC)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
(Brant-Oxford-Norfolk L)  
O'Connor, T. P. (Oakville PC)  
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental  
Affairs (London Centre L)  
Pope, A. W. (Cochrane South PC)  
Rae, R. K. (York South NDP)  
Scott, Hon. I. G., Attorney General (St. David L)  
Stephenson, B. M. (York Mills PC)  
Timbrell, D. R. (Don Mills PC)  
Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
Van Horne, Hon. R. G., Minister without Portfolio (London North L)  
Wrye, W. M. (Windsor-Sandwich L)











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No. 22

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**  
Tuesday, October 15, 1985

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Alphabetical lists of members of the Legislative Assembly of Ontario, members of the executive council, parliamentary assistants and members of committees also appear at the back as an appendix.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 15, 1985

The House met at 2 p.m.

Prayers.

## RESIGNATION OF MEMBER

**Mr. Speaker:** I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the resignation of Robert G. Elgie, MD, QC, as member for the electoral district of York East, and I have issued my warrant to the chief election officer authorizing the holding of a by-election.

## LEGISLATIVE PAGES

**Mr. Speaker:** This is the first opportunity I have had to welcome and introduce to you all the pages serving during this first part of the 1985 fall session. I would like to place their names and ridings on the record.

Patricia Agnew, Hamilton East; Lynn Bonhomme, Oriole; Maeve Callery, Brant-Oxford-Norfolk; Chantal Cholette, Armourdale; Kristen Clarke, Timiskaming; Karen Deacon, Burlington South; Brian Dingle, Hamilton West; Katrin Dockrill, York South; Matthew Hickey, Hastings-Peterborough; David Hodge, Dovercourt; Craig Irwin, Mississauga East; Todd McRae, Durham East; Bradley Miller, Cambridge; Derek Miller, Renfrew South; Arlene Monzar, Etobicoke; Geralyn Pluim, Carleton East; James Reddy, Nipissing; Anna Sardella, Erie; Sherri Warner, Scarborough North; Jennifer Wiebe, Haldimand-Norfolk; Jody Wildman, Algoma; Michael Winters, Frontenac-Addington.

Please join me in welcoming the pages.

## BLUE JAYS

**Mr. F. S. Miller:** Mr. Speaker, on a point of privilege: For me, it is a privilege to rise on behalf of the members of my caucus and salute the Blue Jays. I happen to be from outside Toronto, from Muskoka specifically, and therefore I can speak on behalf of all Ontario when I say not only Ontarians but Canadians are proud of the Blue Jays.

They have brought a lot of pride to this province and a lot of pride to this city. They have reached their pinnacle of success through something very important—I am sure the Premier (Mr.

Peterson) will agree—through teamwork. That says a lot to us all, and I think they are going to go on and win because they deserve to.

My experience of playing ball is not great. You may not be surprised to know that I played right field in Bracebridge; that was because no balls ever came that way. I say to the Treasurer (Mr. Nixon) that the Blue Jays have truly brought not only recognition to this province but also something that should avoid any tax increases in the upcoming budget. The revenues that will flow to this province in all forms, particularly some of the more liquid taxes, will undoubtedly help him a great deal.

There is another thing all of us who have been to a game, and I bet most of us have in the last while, can be proud of. I sat in a seat in section 32, just south of Steeles, the other night. I was sometimes able to see the game in front of me. There were 35,000 or more people. They not only paid great respect to the team but I was also very proud of the way they acted throughout the whole game. I think our fans have shown a measure of class in this series, and I hope and believe we are going to go on and win it all in the World Series.

**Mr. Speaker:** I know all members appreciate the comments of the Leader of the Opposition. However, I must say he is out of order wearing that hat in the House.

**Hon. Mr. Peterson:** I thank the Leader of the Opposition for his most apt comments with respect to the Blue Jays on his point of privilege. I am sure we all share the great pride he talks about and look forward to a victory tonight. I appreciate very much the speech of the Leader of the Opposition about teamwork, although I say to him with great respect it is a speech he should have given at caucus this morning rather than in this House.

[Later]

**Mr. Rae:** Let me first of all make it very clear that we join with the Leader of the official Opposition in our dedication to the cause of the team with blue, white and red colours, the Blue Jays, who will be playing tonight. Dare I say, I am sure many of us will be there in one capacity or another cheering them on. I might point out

that they never did this well under the Tories, and we hope they will do better today.

Interjections.

**Mr. Rae:** History is clear. Take it from one who supported the Washington Senators during the 1950s, it is a pleasure to watch a team that has a real crack at the World Series. I know all of us will be rooting for them.

#### PRESENTATIONS

**Mr. McKessock:** On a point of privilege, Mr. Speaker: The famous McIntosh apples the members have on their desks have been brought from the largest apple-growing area of Ontario, the Georgian Bay apple-growing area of Meaford, Thornbury and Collingwood. The farmers in that area sell approximately \$9 million worth each year. These apples have been brought to the members through the courtesy of Georgian Triangle Apples Ltd. of Thornbury.

#### STATEMENTS BY THE MINISTRY

##### LIEUTENANT GOVERNOR

**Hon. Mr. Peterson:** In the three months since this House last met, the people of Ontario and Canada have witnessed important changes in leadership. When we last sat in this chamber, we joined in tribute to the Honourable John Black Aird as he approached the end of a highly successful term as Lieutenant Governor. While none took pleasure at the end of his tenure, I am sure all share my delight at the appointment of his successor. On behalf of the government, I would like to express in this chamber our congratulations to the Prime Minister on his excellent appointment of the Honourable Lincoln Alexander.

I would also like to extend congratulations and best wishes to our new Lieutenant Governor for the responsibility he has been entrusted with. His Honour has already demonstrated a balance of qualities that should serve him in good stead: informality leavened by dignity, self-confidence dashed by humility and recognition of the importance of the traditions on which our system of parliamentary democracy is built combined with a keen awareness that it must be able to accommodate change.

[Later]

**Mr. F. S. Miller:** I would like to echo the comments of the Premier and to say it is a great privilege for me to speak on behalf of our caucus in congratulating the government of Canada on the excellent choice of the new Lieutenant Governor of Ontario.

Lincoln Alexander, as all of us in this House know, has had a long and illustrious record of achievement in the public life of our country and province. In his new role as Her Majesty's official representative here, I know he will excel in his commitment and dedication.

His Honour has already indicated he will bring his own distinctive touch to the office. We look forward to working with him as he carries out his duties in his own way, bringing the special warmth and commitment for which he is already well known and admired across this country.

History will record the appointment of Lincoln Alexander as Lieutenant Governor of Ontario was a breakthrough on behalf of visible minority groups in Canada. However, it also signifies the choice of a truly outstanding person, one very worthy of the onerous responsibility of representing the Queen in our province. We congratulate His Honour, and look forward to working with him throughout our province.

**Mr. Rae:** Let me also say how much we all in this House share the joy of the province, in having said farewell to such a fine representative of the Queen and of the people of this province as John Black Aird, how much we all share in the common pleasure of the appointment of Lincoln Alexander.

Speaking personally, I had the occasion of serving with Mr. Alexander in the House of Commons. He was an outstanding member. He was a highly regarded minister in that short-lived minority government of Joe Clark.

He has served this province with distinction, and I know he will continue to serve the province with distinction in his new role. I know as well that he will add to it the very special capacities, interests and dedication that he has, and that he will leave his mark on the job, just as Mr. Aird left his own unique mark on the responsibilities of Lieutenant Governor.

#### NEW PROVINCIAL LEADERS

**Hon. Mr. Peterson:** My first statement in this House as Premier was to note the departure of two giants from the Canadian political scene. On behalf of the government, I would now like to express congratulations and good wishes to their successors, Premier Pierre Marc Johnson of Quebec and Premier-designate Donald Getty of Alberta. As a veteran of some four months on the job, I am pleased to welcome these new members to the team.

Ontario has had disagreements in the past with the governments of both provinces, and I am sure we will not always agree in the future. That is the



nature of Canada's system of government. However, change in the leadership of three provinces within four months provides an opportunity to take a fresh look at some of our common problems in a new light and to consider some possible solutions in a new spirit.

With that attitude, I look forward to meeting and working with Premier Johnson and Premier-designate Getty, along with our fellow Premiers, in the interest of our provinces and the country as a whole.

**2:10 p.m.**

**Mr. F. S. Miller:** In this age when leaders of provinces are changing with some rapidity, I was delighted to add my congratulations to Premier-designate Don Getty, with whom I worked as a minister some years ago. He served his province then and in the meantime with distinction. I have every confidence he will play a significant role as successor to Premier Lougheed.

I suspect there will be occasions when his priorities will not be the same as those of Ontario, but I have every confidence his commitment to this country will always make it possible to negotiate in a fair and positive way.

I agree with Mr. Getty that a stronger Alberta means a stronger Canada. Indeed, this country can only be strengthened by ensuring that all its regions have a strong and equal voice on behalf of the people. We wish Mr. Getty well and look forward to working with him.

It is also a great pleasure to welcome Pierre Marc Johnson as Premier of Quebec. Of course, he comes from a distinguished Canadian political family, and it must be especially gratifying to him to follow in the footsteps of his father.

As someone who has lived in Quebec, I have always taken a particular interest in the politics and development of that great province. Pierre Marc Johnson has served Quebec with great dedication as a member of the provincial cabinet, and I know all of us here in Ontario look forward to working with him towards even greater ties between his province and our own and towards an even greater Canada.

**M. Rae:** Laissez-moi dire, en ce qui concerne l'élection de M. Pierre Marc Johnson, que nous sommes tous dans notre parti reconnaissants de ses capacités extraordinaires comme homme politique. Nous sommes heureux, si je peux le dire, de voir un changement, un renouvellement politique dans la province de Québec et les opportunités que représente l'élection de M. Johnson.

J'ai eu l'occasion, il y a seulement deux mois, quand nous étions ensemble à Québec pour la

conférence de l'Association parlementaire du Commonwealth, de rencontrer M. Johnson et de lui parler, et je sais bien que nous avons maintenant une occasion de faire un progrès important dans les négociations constitutionnelles. Je suis prêt à dire, comme chef de notre parti, que nous sommes prêts à jouer un rôle constructif dans toute négociation avec la province de Québec.

As I said to Mr. Johnson at the end of July, when I was attending the Commonwealth Parliamentary Association conference and I had a chance to meet with him for about half an hour, we are prepared in our party to play a constructive role in the negotiations that we know will happen under a new leadership in the province of Quebec. We see the renewal that is taking place in that province as an opportunity for us to include Quebec once and for all in the new Confederation agreement that was signed just two years ago.

We are going to have some interesting discussions with Alberta. I find it ironic that a province that declares itself in favour of free trade with the United States would find it impossible to declare free trade on natural gas prices, about which I know the Minister of Natural Resources (Mr. Kerrio) shares some concern.

We will, of course, always have a friendly relationship with Alberta. We have some differences of opinion, which will no doubt be expressed. From time to time I have had occasion to express them myself. Nevertheless, we recognize Mr. Getty as the extraordinary Minister of Energy and Natural Resources that he was during the 1970s, and now, having been cleansed by the private sector, he will no doubt provide the leadership that Alberta so rightly expects from its Conservative Party.

We salute this process of renewal. We certainly salute with a great deal of pleasure the appointment of Lincoln Alexander, and may I say that I hope this mood of charming camaraderie continues for many years to come.

## POLLS

**Hon. Mr. Nixon:** It is the government's contention that polls conducted on behalf of the government at public expense ought to be tabled and made available to all Ontarians. I am pleased to begin this tradition by tabling with the Clerk of the House several polls commissioned by the government from 1983 to the present, with four copies of each to be placed in the legislative library along with raw polling data available.

Copies will also be sent to the leaders of the opposition parties, with reference copies to be placed in the press gallery.

#### BUDGET DATE

**Hon. Mr. Nixon:** I would like to advise the House that I will present the 1985 budget on Thursday, October 24, at 4 p.m., God willing.  
**2:20 p.m.**

#### RADIOACTIVE SOIL

**Hon. Mr. Curling:** As members of the House are aware, the people in the McClure Crescent area of Scarborough have been concerned for five years about living on soil containing radioactive particles.

**Mr. McClellan:** On a point of order, Mr. Speaker: Would the minister wait until copies of the statement are distributed?

**Mr. Speaker:** Will the House agree to let the minister continue?

Agreed to.

**Hon. Mr. Curling:** This situation can go on no longer. The government has decided to take action now. We will offer to purchase all of the 40 privately owned properties directly affected by the soil where owners wish to relocate. The purchase price will be based on market values for similar properties in other parts of the Malvern community.

There are a further eight properties in the area that are owned by Ontario Housing Corp. and leased to families. We will give those residents the same opportunity to relocate by offering them similar accommodation elsewhere. All reasonable costs associated with moving, both for owners and for OHC residents, will be borne by the province.

I have arranged for consultants on radioactivity to meet with the owners and review with them the results of the soil survey carried out on their property. The owners will then have the option of deciding whether or not they wish to sell. The residents of the affected properties were notified of the government's decision by letter earlier today.

The properties that are purchased by the province and are within federal-provincial guidelines on levels of radiation will be offered for rent. All prospective tenants will receive a copy of the soil survey prepared on the property in question so that they will be fully informed of the circumstances before deciding whether to lease.

The government's offer to purchase the properties in the McClure Crescent area in no

way reduces our determination to see the soil removed at the earliest possible time. The offer will remain open until a year after the soil is removed. In addition, I intend to keep the residents informed of the progress being made to have the soil removed.

The crucial point is that residents have not had a resolution of their concerns about living on soil containing radioactive particles. They must be given the option of relocating. I believe we now have a solution they will accept.

I will conclude by saying that this action will not prejudice the right of certain individuals to proceed with the cases currently in the courts. These suits allege that the province failed to reveal the presence of radioactive particles in the soil, and we are defending on the grounds that the province had no knowledge of the problem before selling the land. As a result, we as a province are not admitting any liability by making this proposal but are simply attempting to help resolve the concerns of residents.

#### SIMULTANEOUS TRANSLATION

**Mr. Pouliot:** On a point of order, Mr. Speaker: As one of the francophone members of this Legislature, and on behalf of the New Democratic Party of Ontario, I would like to recommend the introduction of simultaneous translation as soon as possible in order that the broadcast of the sessions be equally accessible to the francophone community across Ontario. It is also important that anglophones be able to understand those members who may choose to speak French.

Si je peux me permettre une seconde pour traduire ce que j'ai dit, à peu près, en français, vous savez que quand on nous donne la chance ou le privilège—on appelle ça soit une chance ou un privilège—de s'exprimer soit en anglais soit en français, il est quand même très illogique de penser que nos collègues anglophones, eux, ne peuvent suivre nos discours, ne peuvent suivre nos débats, pour la simple raison que nous n'avons pas de traduction simultanée. Ce que nous demandons, en terminant, c'est que la traduction simultanée dans cette Chambre, pour le bénéfice de tous les membres, devrait se faire le plus tôt possible.

**Mr. Speaker:** The member makes a good point. However, it is not a point of order. It is a very good point of view.

#### ORAL QUESTIONS

##### ACCESS TO MINISTERS

**Mr. F. S. Miller:** I have a question for the Premier. In the past few months, we have heard a



lot from him about open government. Would he agree that government must not only be open but also be seen to be open?

**Hon. Mr. Peterson:** That is one of the member's more penetrating insights. Obviously, he is right.

**Mr. F. S. Miller:** I am not sure what he said, but he seemed to say yes, so I have a supplementary. I would like to know how he is going to reconcile that answer with some of the actions that have occurred.

I am going to send him something so I can ask him a question. It is a \$1,000 bill. It has a clock on it too, and the big hand is at the 12 and the little hand is at the 2. That means question period.

**Hon. Mr. Bradley:** Is it a tuna fish?

**Mr. F. S. Miller:** It could be just as smelly as tuna fish, let me tell the member, so do not get too quick over there.

I am intrigued by the prices on ministers: \$1,000 to give advice to the Premier (Mr. Peterson); \$250 to give advice to the Chairman of the Management Board of Cabinet (Ms. Caplan); \$250—it should have at least been \$255 to differentiate them—to the Minister of Consumer and Commercial Relations (Mr. Kwinter); \$150 to the Minister of Health (Mr. Elston).

Interjections.

**Mr. F. S. Miller:** I would be hurt if I were the Minister of Health.

**Mr. Speaker:** Do you have a question?

**Mr. F. S. Miller:** We will not have to stand up and ask for a question to a minister; we will just have to name the amount and they will know who it is from now on. I want to know how the Premier can reconcile his statements about open government with this tollgating action that is going on in this province.

**Hon. Mr. Peterson:** First of all, I congratulate the Leader of the Opposition on his new use of visual aids. They are very helpful in the presentations he is making in the House.

Second, he raised an important question and I want to respond to that. It is our intention, as I have said before, to build an open government where anyone can have access to talk to ministers.

Interjections.

**Hon. Mr. Peterson:** I hear some sneers across there. Some of the members who are sneering the loudest are those who should not be sneering the loudest.

I appreciate the fact that all parties are engaged in fund-raising to support the democratic pro-

cess. It may have been, in some cases, that there was an impression that certain people had access and others did not. Let me tell you categorically, Mr. Speaker, that is absolutely untrue in this government. We do raise money, there is no question about that, but there is no one who has preferential treatment for any amount of money.

Mr. Speaker, you may say to me that this perhaps speaks to the need for a different approach to election expenses in this province. As you know, sir, everything we do is open and fully reportable. I appreciate the impression these things can leave. I read somewhere that the member for Don Mills (Mr. Timbrell) had a dinner at \$4,000 a head. I heard that the member for St. Andrew-St. Patrick (Mr. Grossman)—

**Mr. Timbrell:** Mr. Speaker, on a point of order: The Liberal Party is charging for access to ministers. The Premier should not try to confuse that with a legitimate political fund-raising dinner.

2:30 p.m.

**Hon. Mr. Peterson:** I guess what I am saying is correct then. I heard that the member for St. Andrew-St. Patrick is charging people \$1,000 to go to a baseball game with him. I do not know whether rain checks are being issued or not.

I have read that the honourable leader has \$300,000 in his pot from the last leadership campaign and I gather he is not going to share it with any of the worthies.

All these things can perhaps leave a most unfortunate impression. If the honourable members have some ideas as to how to change the system, I would be delighted to hear them. We have pledged and are determined to bring in reforms to the Election Finances Reform Act. He may have some ideas as to how to do that.

I stand before the House and say that no one has preferential access to this government. Last week in Sault Ste. Marie I heard about the number of ministers who have been there for open consultation, listening to all points of view from all walks of life. Even though my friends opposite have a different impression, there is no preferential treatment and there never will be.

**Mr. Rae:** It takes Tories and Liberals to know what a \$1,000 bill looks like. I do not think most Ontarians do. What I hear the Premier saying is that the people who are paying \$2,000 to belong to a special economic club are wasting their money. That is an important statement. I am glad he is making that very clear. I am sure he will send it all back as a result of what he has said.

Is the Premier denying that a \$2,000-a-year contribution to the Liberal Party of Ontario was

said by the Liberal Party in its mailings to businesses throughout the province to admit the donors to a special economic club that would be addressed by the Treasurer (Mr. Nixon) with respect to economic information and would be addressed by the Premier with respect to economic events taking place in the province? Is he denying that was the proposal of the Liberal Party? If it is the case that that is being proposed, is he prepared now to disband that completely and to refund the money paid by those poor individuals who thought they were going to be able to rent some influence with the Liberal Party?

**Hon. Mr. Peterson:** I will check the record. I do not believe the figure the member is referring to is \$2,000, but I will have to check that. I may well be wrong. Let me stand firmly in my place to tell the member that no one can purchase influence for any amount of money, be it \$1,000, \$2,000 or \$10,000. If anyone is under that mistaken impression, I will gladly return his cheque. If the member knows of anyone who thinks he can get influence for any amount of money, the member should tell me his name and I will clearly inform him of the truth about this government.

**Mr. F. S. Miller:** The answers the Premier gave had nothing to do with the question asked. His letter accompanied the request for \$1,000 for the club and to have influence. Mr. Davis, myself, and previous Premiers of this province, always solicited advice without a toll gate charge; that is a fact. When we raise funds, we raise funds. We do not tie seeing a minister to give advice to asking for permission to come in on bended knee, passing our cheques forward and saying, "May we talk to you?" That is the kind of impression that came out and the Premier's letter did not help.

Is he going to instruct Mr. Smith, as he instructed one person named McGregor, that he should not go around the province doing these things? Is he going to instruct the fund-raisers for his party that he divorces himself from this kind of action and will go back to legitimate, upfront fund-raising?

**Hon. Mr. Peterson:** I have told Mr. Smith, and would tell anyone else raising money in our party, that there is no suggestion and there is to be no suggestion anywhere of any favours for any amount of money. We are clearly and absolutely against that. If the member or anyone else has any mistaken impressions, I am here to dispel them at this moment.

That being said, perhaps we have to apply our minds collectively to the Election Finances Reform Act. We are open to that. The member may have some ideas. I know he has changed the rules somewhat to accommodate his own leadership campaigns. He has juggled his own reporting on that and I appreciate he may be upset that this gives the improper impression.

Therefore, I am willing to sit down with him and all members of this House to devise a system that is fair and looks fair in every regard. I repeat to him, there is none of that in this government.

**Mr. F. S. Miller:** A number of his members were not applauding. I simply say a lot of people did not read it that way, nor did I.

#### GOVERNMENT'S COMMITMENTS

**Mr. F. S. Miller:** I have another question for the leader of the government.

The last election campaign saw a lot of promises made—

Interjections.

**Mr. Speaker:** Order. It is very difficult to hear the question.

**Mr. F. S. Miller:** Yes, it is a good question. It is succinct. It is a question worth listening to.

Prior to May 2, the now Premier went around this province and made a lot of promises to a lot of people to get votes. Between May 2 and May 24, his nominees made a lot of promises to the New Democratic Party to get its alliance. Let me read them:

They were going to cut taxes, eliminate Ontario health insurance plan premiums and not increase the deficit; they were going to have denticare, a half-billion-dollar housing program, a job creation program and \$100 million for co-op housing. To get the NDP on side, they promised equal pay for work of equal value in all sectors, first-contract legislation and an end to extra billing.

They are backing away from all those promises. Today, after three months out there, they have brought forth one statement. That is all they have brought into this House. There is nothing of substance.

Can the Premier explain why he is running the government by smoke and mirrors and not by real programs?

**Hon. Mr. Peterson:** I am curious. The member accuses us of doing nothing in the last three months. Can he not think of a better question than that, after three months? When my friend goes back prior to May 2, and it may be very painful for him but I am quite prepared to



make that trip with him, it seems to me in his throne speech, or shortly after that, he agreed with virtually everything we said, which shows the wisdom of his conversion as late in life as it was, and I am delighted to have his support on the things we talked about in the campaign.

**Mr. F. S. Miller:** The difference is that we do what we say and he is backing off all those promises I have mentioned.

I am going to ask a question on behalf of the leader of the NDP, because it is the kind of question he really wants to ask.

**Mr. Speaker:** It is a supplementary, I hope.

**Mr. F. S. Miller:** Let it be my supplementary. Where does the Premier really stand on the alliance? Is he going to break it, as he has been hinting to the press lately? Did he get the leader of the NDP's signature on the agreement just to get that job over there, or is he going to carry through with his promises?

**Hon. Mr. Peterson:** First, let me say I can understand the Leader of the Opposition asking questions on behalf of the NDP leader, because there is no leader directly opposite of whom one can ask a question.

Let me say to him that our party is in the process of honouring all the things we said we would do. This government has made more decisions in the last 100 days than the previous one did in many years. I remind the member of the sensitive and intelligent way my colleague the Minister of Education (Mr. Conway) has handled the separate school issue, doing exactly what we said we would do, while the Leader of the Opposition did not have the guts to touch it and walked away after a year of inaction. I remind him of what has happened with the spills bill and the pop can issue. I remind him of what we have done for farmers.

I tell my friend that is just the beginning. He could take a lesson from this government. His colleague was right, he is confused and his party has lost the right to govern in this province because it still does not know what it is doing over there.

2:40 p.m.

Interjections.

**Mr. Speaker:** Order. I am having some difficulty hearing the questions and answers. I do not know whether we can turn up the microphones. Final supplementary.

**Mr. F. S. Miller:** As a matter of fact, I was waiting for the final supplementary from the leader of the NDP. He obviously has not sent it over yet.

Having sat on the government benches for a day or two and having seen us come in for a fall session with our legislative program in place, when will we see the birth of the Liberal program instead of just more of the perceptual press-agentry approach?

**Hon. Mr. Peterson:** My friend is having trouble phrasing that question. Let me tell him the context in which we govern. We are not looking for a Camp and Atkins to set our priorities in this government. We do not do it by polls. We have shared all that with the members. We have told them very clearly where we stand on the issues and what we are doing. We are making progress in every regard.

My colleague told the members today there will be a budget in nine days that will lay out the priorities of this province. The House will be seeing in the near future our plans with respect to youth unemployment and a variety of other things. I can tell the Leader of the Opposition even he will be astounded and he will say what a marvellous legislative program it is.

He agreed to a number of those things in his throne speech, even though he may have confused his colleague the member for Don Mills (Mr. Timbrell), who goes around the province talking about how confused he is about where the Tory party is going. We are not confused and we are willing to help out both members.

#### EQUAL PAY FOR WORK OF EQUAL VALUE

**Mr. Rae:** My question is to the minister responsible for women's issues. I would like to ask him about equal pay for work of equal value. He will know the accord was very specific in setting out a commitment by the government to introduce legislation covering both the public and private sectors in the first session.

We then had new arrangements declared in July, that public sector legislation would be introduced, there would be a green paper and there would be private sector legislation introduced after discussion of the green paper. At that time the minister expressed the hope, and indeed the expectation, that legislation covering both sectors would be introduced in the first session. Does that commitment made in May and again in July still stand?

**Hon. Mr. Scott:** I would like to thank the leader of the third party for the question. He asked me last July, "Can the minister tell us if legislation is going to be ready before the end of 1985?" Then in his best cross-examining way, he said, "Yes or no?"

I answered: "The time frame will be dictated by the amount of time expended in public consultation. It is my hope we will have legislation towards the end of the year. Bearing in mind the variable nature of the process, particularly the consultation, I cannot be absolutely assured of that. I am going to do my best to see that timetable is met." And so I am.

**Mr. Rae:** That was a wonderful reading of the answer the minister gave in July, and I want to congratulate him. It was read with considerable feeling, and he did it very well.

That is not what I asked him. This is a new month, and I asked him a new question. I expected an answer that might refine the previous one. A number of statements have been made. The Minister of Labour (Mr. Wrye) has made a statement. The Premier (Mr. Peterson), wandering outside in the corridors, makes a statement every three days to whomever will listen about what might or might not happen.

I have a very specific question for the minister, and I hope he will not screw it up again. The minister set out the timetable as follows: he said there would be public sector legislation, a green paper and private sector legislation. Is it still his expectation that will be the case?

**Hon. Mr. Scott:** I read the question and answer, so the House would know precisely what timetable I did set out. Nothing has changed, except for this: I must candidly say that in the production of the green paper we are about a week or 10 days behind the timetable I expected, but I think the House should have it before long. Nothing else has changed.

**Mr. Timbrell:** Can the Attorney General explain to us how he then proposes to ensure that all groups interested in this issue, be they the Equal Pay Coalition or various employers' organizations that have concerns about it, will have input publicly before any legislation comes to the House? How is he going to do that and meet his earlier commitment to the New Democratic Party and to the voters of this province to move on this issue before the end of this calendar year?

**Hon. Mr. Scott:** The reason I went to the trouble of reading the answer and looking it up is that I emphasized in it the importance of consultation with all groups in the community. I made it plain that the length of that consultation process would inevitably affect the introduction of the bill. If the consultation process is long because there are many groups that want to be heard, so be it. It is our intention before legislation is introduced, as I said in July, to have full consultation with all sectors of the communi-

ty that want to be heard on this important issue. Why? Not just for the fun of it, but because we believe it is important to keep this commitment and to do it right.

**Ms. Gigantes:** I would like to ask the minister when early fall is. Early fall was his commitment. What does a week beyond early fall mean? When are we going to have the green paper?

**Hon. Mr. Scott:** I am not going to begin instructing the honourable member on when early fall is. I do not think we are actually quite into early fall yet. We think, rather, that this is an Indian summer phase, but I can assure the honourable member that before long the green paper will be unveiled to her.

**Mr. Rae:** So far so good. I guess some falls come earlier than others

#### EXTRA BILLING

**Mr. Rae:** I have a question for the Minister of Health. He will know that every week that a ban on extra billing is delayed costs patients who are extra billed \$1 million; \$1 million a week, which has been calculated by the government of Canada, is what those doctors who are extra billing are charging patients. That is a loss to the Treasury of this province. It is also a loss, which can never be recovered, every week to those patients who are shelling out \$1 million a week to that small minority of doctors.

The minister has had a policy in front of him for a long time. He had a commitment from his leader throughout the election campaign after the flip-flop that took place two years ago, when what was once a safety valve became a sacred commitment of the Liberal Party. What is the reason for the delay? Why is there hesitation in introducing legislation this week finally to bring an end to this disgrace of extra billing in Ontario?

**Hon. Mr. Elston:** I thank the leader of the third party for the question. The reason there is some delay, as he would style it, is that we are putting together a system that will deal with the realities in Ontario. As he knows, several models are available in Canada and in various other provinces. We happen to believe that in Ontario there are special circumstances that require special answers. We are not willing, as this particular group across the way is, to adopt willy-nilly the suggestions from other jurisdictions without taking into consideration the considerable input the public has to offer us with respect to reasonable compensation in making the best health care delivery system available to the people of the province.



I understand his desire to move very quickly with this, but if the job is worth doing, it is worth doing well. I am determined to make the best program available to the people of the province that we possibly can have.

2:50 p.m.

**Mr. Rae:** The minister knows full well that delay is the friend of reaction and delay is the enemy of reform. It is as clear as that. If the minister wants to consult, and no one objects to consultation, why does he not introduce legislation indicating what direction the government intends to go, refer it to a committee of the Legislature and let the committee do its job, which is to listen to the groups that have concerns about how it is being done?

Why does he not at least tell us where and how he stands, when 70 per cent of the people polled in a poll released today say they are in favour of an end to extra billing? Why is he delaying? It has been ended in Manitoba, Saskatchewan, British Columbia, Nova Scotia, Quebec and the Yukon. Why should Ontario lag so far behind when the government has a clear political mandate to get off its duff and do something about it?

**Hon. Mr. Elston:** The leader of the third party will understand well that there is a commitment on the part of this government to take the steps that are necessary. Of course, if a difficulty should arise, he will be the first to criticize, along with all his colleagues. I am going to the public to talk to the various health care providers in this great province of ours as to what can best be done to ensure we have a quality system of delivery of care. We have a mandate to be absolutely sure we have the best system.

The honourable gentleman just named several provinces. None of those provinces has exactly the same system, which reflects the fact that the medical practitioners in the various provinces have different styles of delivery. In this province we have a particular composition of medical practitioners. We have to take into account the circumstances that make up the delivery of health care services in this province. I am determined to listen to the people, to consult and to find out exactly how they want us to put the details of the program in place.

He has asked for an opportunity for a committee of the Legislative Assembly to participate in the deliberations on that legislation. I am prepared to allow that to go ahead. In fact, I think it is mandatory that it occur. In addition, I would like to point out that those individuals who wish to make haste on this very

important item have yet to submit to me their detailed program so that I can review it.

Interjections.

**Hon. Mr. Elston:** They should send it all over. They are the ones who want this to be done in a hurry. They should send over their suggestions. I am open for all their suggestions.

**Mr. Grossman:** I might remind the Minister of Health, while he is pointing out the importance of caution before proceeding, that he and his leader agreed unequivocally and without exception to ban extra billing. He said that to the public and to the New Democratic Party, and that is why he has his job today. This forum is no place for him to be lecturing on the importance of consultation before proceeding on extra billing.

I understand that at Action Centre last week the minister asked the district health councils to assist in arranging and co-ordinating public meetings at which the public could come and discuss the problems of extra billing. I want to put it to the minister that the district health councils have been very important vehicles in building up public consultation and in being arbitrators in the health care system by bringing together people in the system to work together—doctors, other providers, hospitals and consumers, all working together.

I put it to the minister that in the name of phoney consultation he will destroy the district health council movement by putting it right in the middle of a fight in the health care system between doctors and patients and between doctors extra billing and doctors not extra billing. Why has the minister chosen to destroy the district health council movement in order to save face in backing out on his promises on extra billing?

**Hon. Mr. Elston:** As usual, the former minister, who is often wont to quote Joan Charboneau and other right-wing members of the medical profession in accusing opted-in physicians of being less than adequate in the delivery of their services, as he did earlier in the session, is off the mark again.

The reason health councils have been asked to facilitate the discussion in public is precisely that I think they are the best forum in which an even-handed discussion can be held. They will open it up for all of the public right around the communities in this province to discuss this issue. I have not asked the district health councils for their recommendations. I have asked them actually to tabulate the various comments which are made during the discussions fostered by the open forum.

We will take very seriously the recommendations generated from the preliminary sessions, which will not be recommendations of the councils but of those attending these very public community forums, and we will use those to develop our legislation. We have developed the best mode in which we as a government can be very open and precise as to exactly how sensitive this issue is for the people of Ontario.

**Mr. D. S. Cooke:** I must agree with the member for St. Andrew-St. Patrick (Mr. Grossman) that using the district health councils is a totally inappropriate method to get consultation on this issue. We have been debating extra billing in this province since the Ontario health insurance plan was brought in. The reason the government is holding back is the doctors. There is a consensus in this province in which 70 per cent of the people support a ban on extra billing. Why does the minister not put the interest of the ordinary people ahead of the doctors and ban extra billing in this session of the Legislature?

**Hon. Mr. Elston:** It is not uncommon for the member opposite not to understand what public consultation is. This is a very delicate matter. It is one in which we have to take the time to be absolutely sure of the various details in the legislation. Those individuals across the way would be the first to criticize us if we brought in an incomplete package of programs. They can provide me with some of their inputs, and I will welcome it.

I have met with the member opposite to discuss the opportunities that are available. I think we are doing the appropriate thing. We are doing the absolute, necessary thing when we find the Ontario Medical Association will not discuss the issue with us. We have to reach out to ensure we get the appropriate information and put together a package which is absolutely the best for the people of the province.

#### RENTAL ACCOMMODATION

**Mr. Timbrell:** I have a question for the Minister of Housing. I would have posed it to the Premier (Mr. Peterson) or the Attorney General (Mr. Scott), who is responsible for overseeing that ministry, but given the nonanswers earlier today I thought perhaps I would put it to the Minister of Housing, who I know will give us an honest assessment.

In light of the fact that recent statements from leading representatives of the building industry completely discredit his assertion that the new government's housing policies will lead to more rental accommodation being built in 1986, can he

tell us by how much he intends to ask the Treasurer (Mr. Nixon) to increase the budget of the Ministry of Housing to allow for the fact the government will now be virtually the sole source of financial capital for new housing in Ontario?

Can he also tell us the additional social costs for the thousands of men and women in the trades and related industries whose jobs will be in jeopardy as a result of the policies of this government, which will lead to less rental housing and not more?

**Hon. Mr. Curling:** I thank the member for the confidence he places in me. I will respond to his questions by saying I did not realize the government was the sole source of supplying affordable homes. When I speak with developers, they say to me the private sector is willing to join with the government, the public sector, in producing affordable homes. At the moment we are working on a housing policy which will possibly have incentives that will encourage both public and private sectors to build together.

3 p.m.

**Mr. Timbrell:** Do I take it then that the minister is confirming my worst suspicion, namely, that there will not be a single rental unit constructed in Ontario in 1986 without significant government subsidies or tax breaks, that the government is in effect telling the private sector there is no room for it to invest in rental housing in Ontario, but it must do it in concert with the government? Is that the minister's position?

**Hon. Mr. Curling:** That is not the position at all, as the member knows. I will confirm to the member that the private sector told me it would build—

**Some hon. members:** It has not.

**Mr. Brandt:** That is not true. Name one builder.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Curling:** The member may have been speaking to the wrong developers. We have had encouraging talks with many of the developers—

**Mr. Bennett:** Which one?

**Hon. Mr. Curling:** Everyone.

**Mr. Speaker:** Order.

**Hon. Mr. Curling:** As a matter of fact, many of the developers who spoke to me told me they had been building in the country for the past 10 years and had never met a Minister of Housing. I was very shocked by that. It seems to me there are many developers who are willing to build.



**Mr. Timbrell:** You cannot name a single builder who is building.

Interjections.

**Mr. Speaker:** Order.

**Mr. McClellan:** I have a supplementary to the questions of the member for Don Mills (Mr. Timbrell), who is the only Minister of Housing in Ontario's history who never built a single, solitary house.

Interjections.

**Mr. Timbrell:** On a point of privilege: I invite the member for Bellwoods (Mr. McClellan) to check the public record for that short period during which I was responsible for the Ministry of Municipal Affairs and Housing. He will find a number of housing projects were approved during that time, as well as a number of ministry housing policies.

Interjections.

**Mr. Speaker:** Order.

**Mr. Timbrell:** But this minister cannot name one builder who is going to build—

**Mr. Speaker:** Order. Perhaps the member will address his supplementary through the chair.

**Mr. McClellan:** I am sorry I provoked that outburst.

The minister has had more than ample time since he was sworn in to develop the details of Ontario's housing supply program. Can he tell me when he intends to have the details complete? He has shared a draft proposal, but time is passing. When does he intend to have the program in place? When does he intend to announce the allocation of housing units for 1985?

**Hon. Mr. Curling:** At the moment we are working on a housing policy that will address the shortage of affordable housing in Ontario. In the very near future, we will have a policy the member can look at.

**Mr. Mitchell:** Early fall.

**Mr. McClellan:** Early fall? When is early fall? It sounds like "the fullness of time."

Interjections.

**Mr. Speaker:** Order.

#### NURSING HOME INSPECTIONS

**Mr. D. S. Cooke:** I have a question of the Minister of Health regarding the tragic deaths that occurred at the Extendicare London Nursing Home. I would like to read Dr. Korn's report, which the minister made public last week in London:

"The lunch menu for September 5 consisted of turkey, ham and cheese sandwiches. They were prepared in a temporary kitchen, probably before 10:30 a.m. The ham was prepared first, the turkey second and the cheese third. Because of the lack of refrigeration space, it is unlikely that they were refrigerated before serving."

Was this procedure consistent with the compliance plan the nursing home had filed as a result of problems in the kitchen and the use of a temporary kitchen? Will the minister table the compliance plan with the Legislature?

**Hon. Mr. Elston:** I do not have the compliance plan here. I can check with my officials with respect to that plan. The item, as reported by the member, basically sets out the problems that were revolving around the changeovers from the temporary kitchen facilities to the permanent facility, which had been reconstructed as a result of inspections.

I will look into the possibility of filing the compliance plan with the House.

**Mr. D. S. Cooke:** In the statement he gave in London last week, the minister said, "As a result of the recent experience, I have directed that both the inspection systems"—being the public health unit's and the ministry's—"be closely examined for their thoroughness and effectiveness. Further, in order to improve our inspection capacity, the two systems have to be charged to develop formal liaison relationships and work more closely together in the inspection process."

Is it not clear to the minister, in the light of this very tragic incident and other incidents that have occurred in the province, that there is something very wrong with our inspection process in Ontario? During the time when a temporary kitchen was being used, why were the inspectors not in there almost on a daily basis to protect the residents of this nursing home? If he agrees there is something very seriously wrong with the inspection process in this province, how long will we have to wait for this reform and how long will nursing home residents have to wait to be properly protected?

**Hon. Mr. Elston:** I have moved very quickly to co-ordinate the inspection facilities between the public health unit and the Ministry of Health nursing homes branch. I found there was no co-ordination between them and no sharing of the reports, and I have directed that to take place. Both things have been done immediately, and we are improving our inspection services almost on a daily basis.

I thank the member for these questions, because it is a concern I share with him that we

protect the citizens who are resident in our nursing homes. We are moving to do a number of things to improve the inspection services available to the nursing homes.

#### APPOINTMENT OF EXECUTIVE ASSISTANT

**Mrs. Marland:** I am encouraged to hear the response from the Minister of Housing this afternoon since my question is addressed to him. He said he has been having encouraging talks with the development industry. Obviously, he has acknowledged the important role that the development industry and the private developers in the province have in addressing the problem of rental housing supply.

Does the minister realize he has undermined his own credibility and the impartiality of his office by appointing to his staff, as his executive assistant, Sean Goetz-Gadon, a former director of law reform for the Metro Tenants' Legal Services and a former secretary of the Federation of Metro Tenants' Associations? Can the minister tell us how his executive assistant can be impartial in his very important position in his office?

**Hon. Mr. Curling:** I am quite surprised the member would pose a question like that. In our government we appoint people by credibility and by their professional ability. Mr. Goetz-Gadon is quite a competent individual. Whether he was a lobbyist for the Federation of Metro Tenants' Associations was not one of the criteria on which I appointed him. He has tremendous ability in this regard. He takes housing very seriously and he was the best talent available at the time.

**Mrs. Marland:** Will the minister explain his defence of Mr. Goetz-Gadon's residence in a co-operative housing unit while his salary exceeds \$40,000? It seems the minister's indifference to the sensibility of landlords and developers is at least matched by his indifference to the sensibilities of low-income earners in Ontario.

**Hon. Mr. Curling:** The first question and the second question have the same taste to them. Because an individual improves his lot does not necessarily mean he should move. I understand Mr. Goetz-Gadon pays full rent in the co-op in which he lives and is not subsidized in any way. Is the member suggesting he should move because he receives a salary over \$40,000 while paying the full rental charged?

3:10 p.m.

#### INDIAN LAND AGREEMENT

**Mr. Pouliot:** I have a question for the Attorney General regarding negotiations for compensation for members of the Whitedog and Grassy Narrows Indian bands near Kenora. Given the fact that this specific and particular incident of mercury pollution ranks among the worst social crimes ever committed in Ontario, what we may have noticed—I choose my words carefully—is nothing short of systematic negligence for the mere sake of a buck.

This incident dates back to 1970. We fully realize that patience is a virtue, and furthermore we realize the future can last a long time. Can the Attorney General give us his assurance that a settlement is imminent so we can at long last compensate our first Canadians?

**Hon. Mr. Scott:** I would like to tell my friend and the House that I share the characterization of the incident he has advanced. The pollution in this case occurred in 1970. The negotiations began in 1978. By May 1985, virtually nothing had happened to advance them. This government has given those negotiations a very high priority. We are close to a settlement, and I hope to be able to make an announcement in the House shortly. I do not want to say anything further because, as I said, no settlement has yet been achieved. There are seven parties. We hope to have a settlement shortly.

**Mr. Pouliot:** While it is not our intention to jeopardize the delicate negotiations that are going on, can the minister give us a date?

**Hon. Mr. Scott:** I would like to be able to help my friend by giving him a date, but as he understands, in negotiations one cannot give a date; it depends on the consent of six or seven other people.

**Mr. Sterling:** Although the Attorney General characterizes movement in negotiations as starting after May 1985, is it not true that Mr. Jacobsen of the Ministry of the Attorney General was appointed by myself when I was Provincial Secretary for Resources Development in the summer of 1984, when negotiations started to come together and when the parties were put together in serious negotiations? Is it fair for the minister to characterize all the movement as having taken place after May 1985?

**Hon. Mr. Scott:** Mr. Jacobsen, a crown law officer in the Ministry of the Attorney General, was appointed to conduct these negotiations. The point I made was that no headway had been made in them. Mr. Jacobsen is a very competent and skilled negotiator and was working against



serious obstacles. We hope some headway now can be made. We have been devoting a lot of effort to this over the past three or four months. As my friend knows, there can be few issues that are more important to the native people of Ontario than the settlement of this very difficult case.

#### TEACHERS' LABOUR DISPUTE

**Mr. Ferraro:** I have a question for the Minister of Education. As he is no doubt aware, the teacher's strike in Wellington county, affecting approximately 8,200 students and their families, is entering its 21st day. Having personally heard the concerns of hundreds of parents, students and community leaders in my riding, can the minister advise my constituents of his position on the matter?

**Hon. Mr. Conway:** At the outset, I want to indicate to my colleague the member for Wellington South that I very much share his concern and the concerns of the 8,200 secondary school students in the affected area.

I want to say to the member, and through him to the people of Wellington county, that it is my strongly held position that the best resolution of this situation is a locally negotiated settlement. In a strong and clear way, I encourage both parties, the board and the teachers' federation, to return to the bargaining table to achieve the best possible solution, which I repeat is a locally negotiated settlement.

**Mr. Ferraro:** Being fully aware of the procedures outlined in Bill 100, can the minister tell me and my constituents what plans or agenda he has in store to resolve this serious problem in the short term?

**Hon. Mr. Conway:** The member will know that Bill 100 provides for a very clear procedure and timetable. The Education Relations Commission is monitoring the situation in Wellington county on a regular basis and is reporting to me almost daily. I repeat that my very strong preference and expectation is that, in the interests of those 8,200 secondary students in Wellington County, both the board and teachers' federation will return to the table and negotiate a local solution.

**Mr. J. M. Johnson:** On the very point of a locally negotiated settlement, could the Minister of Education not use his good offices to encourage both parties to sit down and see if they can reach a settlement before it goes much further?

**Hon. Mr. Conway:** My colleague from Mount Forest will know, from almost 10 years'

experience, that the previous government had a lot of experience in Renfrew county, where a dispute at the secondary level was allowed to go on for 44 days in 1978. I repeat that the procedures of Bill 100 are quite clear; I am monitoring the situation very carefully through the Education Relations Commission, and I will continue to do so.

#### NORDEV PROGRAM

**Mr. Bernier:** Before asking a question of the Minister of Northern Affairs and Mines, I want to recognize the comment of the Attorney General (Mr. Scott) with respect to the settlement of the Grassy Narrows problem. I look forward to his early statement in the Legislature.

Turning to the Minister of Northern Affairs and Mines, I point out that all of us in the House, as late as last June, were aware that the northern Ontario regional development program was running out of funds. We were all aware at that time that this party, when it had the authority and was on that side of the House, made a firm commitment to add another \$10 million to that very popular program to assist in the economic development of northern Ontario.

My question to the minister is, why has the present Liberal government not lived up to this important economic development commitment that should have been made? Why has his ministry continued to accept applications when he knows full well the cupboard is bare?

Why has the minister deserted northern Ontario? As he knows, the four-month delay in answering the need by coming up with a new program will delay economic development and construction, which will produce needed jobs in the region, for at least a year. We do not want any more studies. We do not want expressions of concern. We want action.

**Mr. Speaker:** The question has been asked.

**Hon. Mr. Fontaine:** What is the member talking about? Je ne peux pas comprendre, parce que ce n'est pas moi qui ai laissé les tiroirs vides. It is not I who left those cupboards empty. It must be him.

First, I signed some Nordev grants not too long ago. I approved several more this week, and I will approve some more tomorrow. I invite my northern business friends to continue to make applications.

There will be some new programs fairly soon, and they will be my programs, not his, because we are a new government. We are here to change and we are going to change a few things. I know it is a good program, but still, we are Liberals and

we are going to do what is best for us and for the people of northern Ontario.

The member knows quite well, from my visits to the north all summer, I never spoke against this program and I will fight for it. However, maybe I will give it another name.

**3:20 p.m.**

**Mr. Pierce:** Recognizing that the Nordev program has provided much-needed industry and jobs in northwestern and northern Ontario, and knowing that the Nordev committee has not sat since July, are we to assume that only the minister is making the decisions about where the money will be allocated? Given the fact that there is more than \$2.5 million awaiting approval subject to the funding, can the minister tell us today that this money is now available and that the doors for applications should be opened again?

**Hon. Mr. Fontaine:** It is I who control the doors, not them. The doors are open and we are processing applications. It is not my fault if there were summer holidays and the people could not come all the time. Now that some people are working for the new leadership, maybe they have no time to look through those applications.

As the member knows, we did not change all on the board. They are the same people who were named by a member of the opposition. They are working at it. I saw my friends from Nordev a few weeks ago and they are working at it today and tomorrow, and they will meet in the next two weeks too. The member should not worry.

**Mr. Wildman:** Can the minister assure us that in considering and approving Nordev grants, and whatever new programs he is about to announce for funding development in northern Ontario, that the decisions will not be made on the basis of what is good for the Liberal Party, but on the basis of equitable sharing of funds across the north and on the basis of need in the various ridings across northern Ontario that share these programs?

**Hon. Mr. Fontaine:** I am committed, as I was all through the summer, to the idea that we are going to treat everybody as equal. I do not care whether they vote New Democrat, Liberal, Conservative or Communist.

#### MOOSE TAG LOTTERY

**Mr. Wildman:** I have a question of the Minister of Natural Resources regarding the moose-tario lottery, which is rapidly becoming the moose-Kerrio lottery.

Is the minister aware that some ministry moose biologists are allocating fewer adult bull and cow moose hunting tags in their wildlife management units than the computer projection allows for? If he is aware of that, can he inform members whether his ministry thinks the computer program upon which the lottery system is based is inadequate and whether the ministry is prepared to re-evaluate its effectiveness?

**Hon. Mr. Kerrio:** I thank the member for the question. The biggest problem we have in the ministry has to do with the public not being willing to accept many of the biologists' assessments, whether in the wildlife or the fish areas. With the greatest respect to those who are posing the question, I am inclined to believe, until it is proved different, that the biologists are doing an excellent job in the ministry.

They have agreed it is better to take calves in larger proportions than the bull moose, which is next on the list, as the member knows. I am very willing to take into account the question the member has raised and put it to the people who come to these conclusions. I will tell them of the member's concern. I am willing to do what is in the best interest of conserving our game and using it to the best assessment of the whole province.

**Mr. Wildman:** The minister did not exactly answer the question. If he has confidence in the biologists' assessment of the moose herd, is he saying the biologists who are not following the computer projection doubt the computer program? If that is the case, is he going to re-evaluate the whole program on which the lottery system is based and which the hunters have agreed to accept? If he does, when will that re-evaluation be completed and can he assure us there will be the allocated number of tags that the computer program says should be available?

**Hon. Mr. Kerrio:** I am willing to look into the matter the member has raised. The Ministry of Natural Resources wants to maximize the full use of our forest resources, whether for timber, wildlife or whatever. I guess what the member is saying is that we have not analysed the position as it exists now. I am willing to say I am prepared to look into that matter and get back to the member specifically about that part of his question.

**Mr. Harris:** Is the minister saying he disagrees with his biologists' assessment of the wildlife in the units? Did I understand him to say he has reason to doubt the biologists' assessment of the number of animals in the various units?



**Hon. Mr. Kerrio:** No, that is not what I said. I said the biggest problem in this ministry—and the member opposite should know, because he was there—is that those people who are fishing commercially, hunting or whatever, disagree with our biologists. It is a hurdle we must get over together, because if we do not find an alternative way we are always going to be at odds.

As I said, with commercial fishermen, hunters and fishermen it is one of the single most difficult questions to answer. I am proposing that before too long I am going to answer that very important question.

## PETITIONS

### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Treleven:** I wish to present a petition from St. Mary's Woodstock Council 8552 of the Knights of Columbus regarding separate school funding. This petition contains 246 names.

I also wish to present a petition from the Knights of Columbus Council 3515, Our Lady of Perpetual Help, on the same subject, which contains 417 names.

**Mr. Speaker:** I wonder if I could ask for a little more quiet from the members if they are going to leave the chamber.

**Mr. Laughren:** I have a petition from a number of good citizens from the Lively area, which just happens to be in the riding in which I live. It is a petition concerning the extension of funding to the separate school system and a request that there be a referral to the courts, which of course has been done, and further debate, which is also being done.

**M. Morin:** Je présente à cette Assemblée une pétition qui réclame le parachèvement des écoles séparées. Elle contient les signatures de 317 paroissiens et paroissiennes de la paroisse Notre Dame de Lourdes de.

## REPORTS

### STANDING COMMITTEE ON PROCEDURAL AFFAIRS AND AGENCIES, BOARDS AND COMMISSIONS

Mr. Breagh from the standing committee on procedural affairs and agencies, boards and commissions, pursuant to the order of the House of Friday, July 12, 1985, presented the committee's 10th report and moved that its recommendations be adopted.

**Mr. Breagh:** Just to assist the members, this review of agencies was actually conducted by the

previous committee. It happened to get caught between elections, so we were pleased to revive it and are happy to present it to the House today.

This is a review of the Geoscience Research Review Committee, the Fire Code Commission, the Travel Industry Compensation Fund Board of Trustees, the Languages of Instruction Commission of Ontario, the Ontario Graduate Scholarship Selection Board, the Ontario Drainage Tribunal, the Liquor Licence Board of Ontario, the Licence Suspension Appeal Board, the Assessment Review Board and the Health Disciplines Board.

I imagine this will evoke some comment from other members and we anticipate having a debate and a vote on this matter at some later time.

On motion by Mr. Breagh, the debate was adjourned.

**3:30 p.m.**

Mr. Breagh from the standing committee on procedural affairs and agencies, boards and commissions, pursuant to the order of the House of Friday, July 12, 1985, presented a report on television coverage of the proceedings of the Legislative Assembly and moved that its recommendations be adopted.

**Mr. Breagh:** It is a pleasure to present this. Many of us have been around the assembly for some time and know this has been debated a lot. We finally have it at a point where a group of legislators did a lot of work this summer researching exactly how we might proceed with the introduction of what some refer to as an electronic Hansard, but which is really the provision of television coverage of the proceedings of the House in a proper, regular and formulated manner.

I will make a couple of distinctions and then I would like to move the adjournment of the debate because I am aware other members want to participate. I believe we are going to get the opportunity to do that on Thursday night.

I want to pay tribute to the staff and the members of the committee who, while others were enjoying the Blue Jays all summer long, sat in hard, earnest work day after day putting together a report that in other jurisdictions was done in a slightly different way. We had the advantage of being able to see what other jurisdictions had done with televising their proceedings and we had the opportunity to use the expertise for which others had perhaps paid a higher price.

We have produced a report that may not please everyone, but it does cover the basics and provides something many of us have worked

towards for a long time; that is, the formal introduction of television coverage of the proceedings of this Legislature. We think in large measure it will do the people of Ontario some good. It is not to be interpreted as providing some new form of entertainment. It is an information service we think should be available to every citizen of Ontario.

I should point out that although there were some on the committee who were not terribly happy with the idea of televising the proceedings, by taking away the question of whether we should televise the proceedings and moving to the question of how we would do it, when we got to the report stage we were able to come up with a unanimous committee report, which we always try to do in this committee.

I want to congratulate the members, and the staff in particular, who spent their time this summer putting the report together.

On motion by Mr. Breaugh, the debate was adjourned.

#### HOUSE SITTINGS

**Hon. Mr. Nixon:** This is not a motion. For reasons that are not clear to me, it has been agreed on all sides that the House will not sit tonight and we will adjourn at six.

**Mr. McClellan:** No business.

**Hon. Mr. Nixon:** There is plenty of business.

#### MOTIONS

#### HOUSE SITTINGS

**Hon. Mr. Nixon** moved that the House not sit in the chamber on Wednesday, October 16, 1985.

Motion agreed to.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Mr. Nixon** moved that, notwithstanding standing order 64(a) and any previous order of the House, private members' public business not be considered until Thursday, October 31, 1985.

Motion agreed to.

#### COMMITTEE SITTINGS

**Hon. Mr. Nixon** moved that the standing committee on resources development be authorized to meet on the morning of Thursday, October 17, 1985.

Motion agreed to.

#### COMMITTEE SCHEDULE

**Hon. Mr. Nixon** moved that this House endorses the following schedule for committee meetings during this session:

The standing committee on social development may meet on the afternoons of Mondays, Tuesdays and Wednesdays. The standing committee on resources development may meet on the evenings of Tuesdays and Thursdays. The standing committee on general government may meet on Wednesday afternoons. The standing committee on administration of justice may meet on Thursday afternoons and Friday mornings.

On Wednesday mornings, no more than two of the following committees may meet without leave of the House: administration of justice, general government and resources development.

The following committees may meet on Thursday mornings: procedural affairs and agencies, boards and commissions, public accounts, and regulations and private bills. The standing committee on members' services may meet on Thursday afternoons.

**Hon. Mr. Nixon** also moved that the standing committee on social development be authorized to meet as it sees fit until the completion of public submissions on Bill 30, An Act to amend the Education Act, and that no standing or select committee may meet while the House is in session except in accordance with this schedule or as ordered by the House.

**Mr. Gregory:** For clarification, may I ask the government House leader if that is exactly the same procedure we were following before as far as the timetable is concerned?

**Hon. Mr. Nixon:** It is exactly. There is permission within that long motion to allow the resources development committee to meet to complete its work on workers' compensation. I think that is the only difference and it is for only one day.

**Mr. Gregory:** I heard him mention that a select committee has permission to sit. There was to be a provision that it be with the agreement of the three party whips.

**Hon. Mr. Nixon:** I am not certain. I thought that was during the summer months, but I know that, as usual, we are counting on agreement among the three party whips and House leaders for any aberrations in the schedule that require ironing out. I hope we can continue to do that.

Motion agreed to.

#### INTRODUCTION OF BILLS

#### 404 K-W WING ROYAL CANADIAN AIR FORCE ASSOCIATION ACT

**Mr. Barlow** moved, seconded by **Mr. McCaffrey**, first reading of Bill Pr22, An Act to revive



the 404 K-W Wing Royal Canadian Air Force Association.

Motion agreed to.

#### CITY OF BRAMPTON ACT

Mr. Callahan moved, seconded by Mr. D. R. Cooke, first reading of Bill Pr25, An Act respecting the City of Brampton.

Motion agreed to.

3:40 p.m.

#### BELLEVILLE GENERAL HOSPITAL ACT

Mr. Pollock moved, seconded by Mr. Villeneuve, first reading of Bill Pr19, An Act respecting the Belleville General Hospital.

Motion agreed to.

#### CITY OF NORTH YORK ACT

Mr. McCaffrey moved, seconded by Mr. Barlow, first reading of Bill Pr15, An Act respecting the City of North York.

Motion agreed to.

#### BALFOUR BEACH ASSOCIATION ACT

Mr. McCaffrey moved, seconded by Mr. Barlow, first reading of Bill Pr30, An Act to revive the Balfour Beach Association.

Motion agreed to.

#### CITY OF HAMILTON ACT

Mr. Charlton moved, seconded by Mr. MacKenzie, first reading of Bill Pr41, An Act respecting the City of Hamilton.

Motion agreed to.

### ORDERS OF THE DAY

#### ELECTORAL DISTRICTS REDISTRIBUTION

(continued)

Resuming the adjourned debate on the motion for consideration of objections to the report on the redistribution of Ontario into electoral districts.

**Mr. Speaker:** As I recall, the member for Cambridge (Mr. Barlow) was speaking.

**Mr. Mitchell:** I am on the list for today, I hope, Mr. Speaker.

**Mr. Speaker:** Okay. The member for Carleton.

**Mr. Mitchell:** Thank you, Mr. Speaker.

**Mr. Breaugh:** Wait; we should rotate.

**Mr. Mitchell:** I am sorry?

**Mr. McClellan:** We do not have any problem with that. Please continue.

**Mr. Wildman:** Mr. Speaker, we are going to redistribute the speaker.

**Mr. Speaker:** I will acknowledge anyone who is on the floor.

**Mr. Mitchell:** I am pleased to be able to have at least a few moments to discuss the Ontario Electoral Boundaries Commission and its report and to discuss some of the actions it has taken or recommended. In my opinion, it has taken or recommended actions while operating in a vacuum and totally ignoring the terms of reference it established for itself.

I had the opportunity of attending the hearings held in Ottawa, where I and many other representatives from eastern Ontario, from municipalities and others, made representation to the commission as to proposed changes that might take place. Instead of dealing with the presentations made to it, the commission—at least in this humble person's opinion—chose to use only the one criterion it had established, which meant all to it, and ignored every other flaming issue or criterion that it had established. It dealt with only one thing, and that was the issue of population.

If one looks at the riding of Carleton, I always take care to say to whoever represents the riding of Carleton, or the cities of Nepean and Kanata, that because of the homogeneity that exists between the two municipalities and the easy access between them, the riding as it is now established is easy to traverse. It is easy to get from point A to point B. As a result, it is a good area to be able to represent. I know even my colleague on the other side, the Minister of Municipal Affairs (Mr. Grandmaitre), would recognize that from his days on regional council. He is not paying any attention.

**Hon. Mr. Grandmaitre:** Yes, I am.

**Mr. Mitchell:** He is. Okay.

Earlier this afternoon I saw some representatives of the commission in the gallery, but I guess they do not feel it is too important to hear any more advice being given, because they appear to have departed. At least I do not see them up there.

I will read from its own handbook some of the criteria the commission established. They include community or diversity of interest; means of communication; topographical features; population trends—that is one they underlined and said it had to be dealt with; the varying conditions and requirements dealing with representation; the

existing boundaries of municipalities or wards; the existing and traditional boundaries of electoral districts; and special geographic considerations. If one looks at Ottawa-Carleton, in particular at the riding of Carleton, the commission totally ignored that.

Let us deal with some of those issues, such as community or diversity of interest. They have taken a section of the riding of Carleton and they are now going to add it on to a riding that is more involved with the major urban area of Ottawa-Carleton, that is the city of Ottawa. That area is different in many ways from the city of Nepean. It is an area where they look at things differently and where communications for the residents of Nepean who are now in that riding—I am dealing now with the criterion of communications—will be made much more difficult.

When the commission did that, it totally ignored the main topographical feature of that area, which is the Rideau River. They might as well have said: "That river does not exist. We are just going to play games to get the right numbers and the heck with it." A colleague of the members opposite, the gentleman who was my opponent during the recent election, wrote to me. I forget his exact words, but his feeling was—and I stand to be corrected as I am interpreting from memory—that the people in Nepean who were going to be severed were going to feel like second-hand citizens.

The commission has gone ahead and ignored its own criteria as to representation in wards and other such matters. I stand to be corrected because a long time has passed since we first started this, but they ignored a recommendation proposed by the city of Nepean, and I believe even by their own returning officer for that area, that to serve the people better it would probably be more prudent to separate the city of Nepean on a north-south basis and allow Nepean to have two representatives in the provincial Legislature.

**3:50 p.m.**

I would be the first to acknowledge, and I have expressed this to the mayor of the city of Kanata, that if one looks at the map of the riding of Carleton, the city of Kanata portion that is attached to the riding of Carleton seems like an appendage which really is not functional. I say this quite clearly and, in fact, council would support it.

As the member, I believe I have represented the area well and that the people there feel I have represented it well. But I suppose logic would tell you that this portion of the riding of Carleton would perhaps be better in the future as a riding

on its own or attached to a riding that, to use again the words of the criteria of the commission, has more community or diversity of interest.

They have ignored all of that. The commission carried out hearings in the various areas of the province to provide some way for the people to feel they had been legitimately heard, and then it politely ignored them. In fact, what it did and what it is proposing in the latest one, if I understand it correctly—and I admit I am perhaps reading it wrong, but I do not believe so—is a reversal of what it had suggested on the first one.

Population trend seemed to be the criterion that was almighty. If the commission had taken all those criteria it had established for itself and had applied them to the decisions it has been making in its recommendations, I question how many of the changes it is suggesting would hold water.

I know many members want to speak on this particular issue. Frankly, it is my feeling as a member standing here that perhaps we should have abolished the commission and should have tried to start over again, maybe with a group that might listen. With all respect to the honourable learned gentlemen who were members of the commission, I really fail to believe that it listens.

**Mr. Sargent:** Is the member for it or against it?

**Mr. Mitchell:** What does the member think? I am glad to see he is wearing his iridescent tie today. The member for York South (Mr. Rae) wants it.

I really feel strongly that the commission should be directed to review again all it has done and, while doing so, to apply its own criteria. If that were done, I am sure the changes it is proposing would not occur. As a final suggestion from this member representing the riding of Carleton, if changes must be made, if changes are to be made, then use the criteria, allow the riding of Carleton to be represented by two members, allow the riding to maintain a community of interest and allow the other factors that are so important to the people of Carleton to hold sway.

**The Acting Speaker (Mr. Morin):** The member for Bellwoods next, is it?

**Mr. McClellan:** No. One of my colleagues wants to speak, but I do not know whether he wants to speak right now. If he is not quite ready, we are prepared to give up our spot in the rotation.

**The Acting Speaker:** The member for Grey-Bruce.



**Mr. Turner:** Is he in favour?

**Mr. Sargent:** I am the guy.

**Mr. Barlow:** Is he for it or against it?

**Mr. Sargent:** I am sure as hell against this.

I welcome this chance to express my very firm opposition on behalf of the riding now known as Grey-Bruce, which will disappear in the plan submitted for our approval.

The member for Carleton (Mr. Mitchell) was singing the blues over there. Hell, it was Tory gerrymandering that brought this thing before us here. I do not know why they are crying over there.

This is not the first time this has happened in Ontario politics. About 20 years ago in my riding, when I first came on the scene here Ross Whicher, the then sitting member for Bruce, had to retire before the restructuring, and at that point I thought that was gerrymandering too. They got rid of Ross Whicher by this type of legislation.

It is no secret the farmers of Ontario are in for a hell of a time and that the former Conservative government was doing very little about it or for them. Every other province in Canada was enacting legislation to help farmers survive. For years the former government had ignored any meaningful support for farmers. The fact that agri-industry comprises less than four per cent of the voting power in Ontario is probably why it has no clout at the ballot box. This legislation takes power away from the farmers.

If this proposed plan comes into effect it will further reduce the farmer's stability.

**Mr. Turner:** Then change it.

**Mr. Sargent:** I am going to try, with the support of the member for Peterborough (Mr. Turner).

There will be fewer seats in the Legislature to speak for the farmer. In effect, he will be a voice in the wilderness. This plan will reduce rural seats in the House, many currently held by Liberal members. Who will then speak for the farmers? It is a certainty the former government would do nothing for them. To bring in this bill would further reduce the clout of the farmers. Conceivably, the net result is that people in these areas will lose their representation at Queen's Park.

I said publicly it is gerrymandering and I think it is time all members took a stand to vote down this legislation. It would mean the elimination of six seats, three of them at present held by Liberal government members.

**Mr. Turner:** How many?

**Mr. Sargent:** Three. I think I can say the Conservative Party was in charge of the restructuring here by the appointment of the commission.

There is a motion to the effect that: "Pursuant to the order of the House on November 30, 1984, consideration be given by the House to an adoption of the provisions of the report of the Ontario Electoral Boundaries Commission, respecting the electoral districts of Huron, Bruce, Grey and Middlesex on the grounds set forth hereinafter:

"That the commission was insufficiently guided by the items which were set out in the terms of reference dated June 16, 1983, amended November 30, 1984, set out in resolutions as items A to B in setting up the electoral districts of Huron, Bruce, Grey and Middlesex.

"This commission failed to give adequate consideration to the representations made to it to maintain the historic representation provided to represent the rural constituencies in the counties of Huron, Bruce and Grey in the past.

"The elimination of one riding in the Huron, Bruce, Grey and Middlesex areas would seriously erode rural representation in the Legislative Assembly."

The commission did not redistribute the populations equally across the province, in that rural ridings in central and eastern Ontario would be smaller than the proposed Grey, Bruce and Huron ridings. For example, my riding has 52,000 votes now and this redistribution would give it 75,000.

The undersigned members may consider other objections in order to carry out the resolution in question. They are as follows: The member for Huron-Bruce (Mr. Elston), the member for Huron-Middlesex (Mr. Riddell), the member for Grey-Bruce (Mr. Sargent), the member for Grey (Mr. McKessock), the member for Brant-Oxford-Norfolk (Mr. Nixon), the member for Kent-Elgin (Mr. McGuigan), the member for Perth (Mr. Edighoffer), the member for Windsor-Sandwich (Mr. Wrye), the member for Victoria-Haliburton (Mr. Eakins) and the member for Prescott-Russell (Mr. Poirier).

Without further labouring the House with my views, I think it is time we had strong representation in this House, and I hope this redistribution commission report will be defeated in this House.

**4 p.m.**

**Mr. Shymko:** I am very pleased to participate in this debate and to join other members of the Legislature who have serious concerns about the present proposal, or what I would term the

second proposal of the electoral commission, to make some historic changes in the present boundaries that will have a major impact not only on the socioeconomic nature of the ridings but also over the next 10 years when it is hoped the electoral commission will again be contemplating some changes.

In 1984, all of us received the excellent three-volume publication entitled *Legislators and Legislatures of Ontario*, beginning in 1792 and proceeding to 1984. It is a publication of historic significance. In looking up the history and the changes of our boundaries, we perceive one common denominator, namely, the demographic societal changes in this great province of ours, beginning in Upper Canada at a time when this country began to grow and prosper as a nation. At that time they were contemplating changes not only in the population trends of our country but also in the political setup.

These changes reflect certain criteria that had been established within the confines of the Representation Act and the terms of the orders of the House. To see a reversal of the trends that began in 1792, changes of boundaries that reflected the wisdom of the people who made up that commission, to see a sudden reversal of boundaries back 50 or 100 years does not make any sense to me.

My fundamental objection is to the second proposal of the commission in terms of what it does to my riding. If we look at the history of my riding, Toronto West was a term describing historically the present riding of High Park-Swansea. It was established in 1867 and eliminated in 1885. The Toronto West riding was re-created in 1894 and ended in 1914. For a period of approximately 10 years, until 1925, Toronto West did not exist.

In April 1908, a specific reference is made to Toronto West, describing the historic riding of High Park-Swansea. It consisted of all parts of the city west of Palmerston Avenue and Tecumseth Street. The eastern boundary of my riding at the time was Palmerston Avenue, which I believe is in the middle of the riding of Bellwoods. Imagine the great riding of High Park-Swansea in those days having its eastern boundary at Palmerston Avenue, right in the middle of Bellwoods! In those days, the western boundary of the riding was the western boundary of the city, which was Lansdowne Avenue.

A reference in May 1914 describes the riding in still different categories. The eastern boundary of the great riding now known as High Park-Swansea—it was called Toronto Northwest in

those days—was Spadina. Imagine Spadina being its eastern boundary! College Street was the southern boundary and Lansdowne Avenue was the western boundary.

A major change occurred on April 14, 1925, a change described in these historic volumes.

In 1933, a change moves the entire riding, called High Park for the first time, from Lansdowne westward. We see a westward switch. High Park's boundary on the east is Lansdowne Avenue, proceeding to what was then the Canadian Northern Railway tracks, now the CN-CP railway tracks. In 1933, more than 52 years ago, the riding called High Park consisted on the east side of Lansdowne Avenue and on the west side of the Canadian Northern Railway.

Suddenly, some 20 years later, on April 6, 1954, we see a further change where the entire boundary moves to the CN-CP railway tracks, a further extension westward. On July 8, 1966, Lansdowne ceases to be the eastern boundary. What used to be the western boundary of the CN-CP railway tracks, now becomes the eastern boundary again, and the western boundary is now Jane Street and the westerly limits of the great park in the city of Toronto; namely, High Park itself.

We see a move demographically. As the population moves westward, the riding of High Park's boundaries move westward. In 1975, the former municipality of Swansea is added to High Park and the riding of High Park-Swansea is created. In the wisdom of reflecting these demographic changes of the population, as the city expanded westward so did the riding.

Presently, as the members know, there were reviews and the wisdom of the commission in its first draft added a change to my riding by taking the Humber River in the area from the lake to Bloor Street and extending the westerly boundary on the Humber River all the way to St. Clair Avenue; in other words, recognizing the topographical and geographic natural boundaries of the area and recognizing the natural historic change of the movement of population westward and moving the boundary of High Park-Swansea in that direction.

Then the second draft switches the boundary back to the east, back to 1933, back 30 to 50 years ago. It makes no sense whatsoever to destroy the socioeconomic nature of the population, to destroy natural geographic boundaries such as lakes, rivers and railway tracks by moving that entire boundary back to the east. The historical trend of the electoral boundaries and the changes that reflect the changes of the



demographic composition of the population were fundamental in the history of this province. To reverse that trend does not make any sense to me. I see it as totally absurd.

In the oral and written presentations that were made to the commission in terms of its proposal of May 17, 1984, I supported the commission's proposal for the northern, western and southern boundaries of the electoral district of High Park-Swansea. I did have reservations, arguing that to shift my eastern border from Roncesvalles back to Sorauren, as it existed prior to 1975, did not make sense and the commission accepted that. Why all of a sudden now reverse this, cut the northern part of the riding of the member for Parkdale (Mr. Ruprecht) in half and allocate that entire area to High Park-Swansea? It does not make any sense to me.

**4:10 p.m.**

I stress once again that the commission has given precedence to such important natural boundaries as municipal boundaries. Ward 1, for example, represents a cohesive unity. Why suddenly change that northeastern boundary by eliminating the boundary of my municipal ward, ward 1?

The demographic changes in the area are very important. If the changes proposed come into effect, the riding of High Park-Swansea may be the fifth-largest riding in Ontario in terms of population, according to the census calculations and projected figures that I have from the 1981 census. This does not take into consideration the fact that to the present population would be added 11,400 people if you add the present boundaries.

Consider that in my riding is the Tridel development, which will bring approximately 5,000 to 6,000 people within the confines of my riding next year. It is beautiful housing for seniors, mixed family housing, luxury condominiums—5,000 to 6,000 people. I also have a new wonderful senior citizens' home on the north side of Bloor at the corner of Keele and Bloor, the Lithuanian Vilnius Home, which has increased its population in the past two years. There is a fundamental project on the south side of Bloor at the corner of Parkside Drive, a nursing home and senior citizens' complex, which is now not only on the drawing board but will be approved, if not this year then next year, bringing again an expansion of the population.

Finally, let me refer to another area of my city, namely, the stockyards. There have been proposals by the city planners to review the Toronto stockyard district. As members know, I have always been concerned that this approximately

36 acres of land is prime real estate for a mixed commercial, light industry and residential area. I recall the assurances I received from the member for Don Mills (Mr. Timbrell), the then Minister of Agriculture and Food, whose excellent job in the discharge of his responsibilities has been recognized by all members of the Legislature, that within the next seven to nine years the stockyards would be reviewed and they would not be in that area, that there was a strong possibility and probability they would be outside the city boundaries.

What does one do with these lands? There is a potential of 10,000 people in residential development smack in the core of the city of Toronto, in the northern part of my riding. If the commission took into consideration the present major housing developments that have occurred already and those that are in the planning stage now and that most probably will happen in the next 10 years, I do not see why it would want to shift the northeastern boundary of my riding to include that part of the present riding of Parkdale and to shift it eastward against a 50-year trend, which has been constantly westward in the history of the boundary changes in Toronto and in my riding in particular.

I appeal to the commission to take into consideration all the points I have raised—seven points are raised officially in the Orders and Notices, along with those of other members—and to use its wisdom by reflecting on its original submission and allowing the Humber River to be the natural boundary in the western and north-western part of my riding.

**Mr. Hayes:** My remarks will be very brief to allow some of the other members to debate the issue. I am in favour of adding new seats in the province. I agree with that part, but I do not agree that this goal should be reached at the expense of the rural areas of southwestern Ontario. Traditionally, the MPPs of Essex North and Essex South have been able to deal with representatives within the county of Essex on many common community issues.

The commission fails to give adequate consideration to the traditional boundaries of the electoral district of Essex North. If the redistribution goes through as recommended by the commission, part of the riding of Essex North will go to the city of Windsor and part to the county of Kent. By allowing the redistribution to go through, Essex county will have only one representative in the Legislative Assembly of Ontario instead of two, while other areas may enjoy added representation.

As I already mentioned, I am in favour of adding more seats to the Legislative Assembly, but I am strongly opposed when this is done at the expense of a rural area, namely, Essex county. The member for Essex South (Mr. Mancini) is of the same opinion as I am and his party has moved the resolution. I believe they are the ones who can take the proper steps to ensure the redistribution does not reduce the number of representatives in Essex county.

When we speak of representation in the rural areas, we should not base our decisions only on the number of electors. We should look at the traditional boundaries and at the sense of community feeling that exists now in Essex North and in Essex county. I am opposed to the redistribution in Essex county because it would erode the rural representation in the Legislative Assembly.

**Hon. Mr. Elston:** I would like to join in the debate on this matter. It is one that is very important to me as a member from the rural part of Ontario. I feel we must do everything we can to safeguard the integrity of the rural representation in this great House.

We heard earlier from the member for Grey-Bruce, who put some of these points, but I would like to indicate some of the numbers that will come to play in our part of the province if we go along with the redistribution scheme as set out. At present, based on the 1981 census, Grey has 54,775 people, Grey-Bruce has 52,125, Huron-Bruce has 58,295 and Huron-Middlesex has 45,675. Under the proposals, those four ridings would be amalgamated and moved around, so we would end up with three ridings with respective populations of 73,824 in Grey, 60,020 in Bruce and 63,971 in Huron. Those would be the equivalents based on the 1981 census data, indicating an extremely large increase in the number of people who are to be represented in the rural ridings.

I made the point in May 1984, when I appeared in front of the Ontario Electoral Boundaries Commission in Barrie, that serving a population that large in a rural area makes a great deal of extra work for those of us who happen to represent areas in which there are very few government offices available to be contacted by members of the public.

**4:20 p.m.**

In the riding of Huron-Bruce as it is constituted now, with Highway 8 as the southern boundary, the riding extends north to the town of Southampton and appears like a triangle on the east shore of Lake Huron. In that great riding, there is but one

government office, which is the district office of the Ministry of Natural Resources, which is well served by a very competent staff that handles a lot of inquiries. It deals very well with a district that stretches virtually down to Chatham and into parts of Lambton, taking in the great parks of The Pinery and Ipperwash.

However, it must be borne in mind that we have items under the Ministry of Health such as the Ontario health insurance plan, and questions on such things as residential tenancies or matters of industrial development and access to Ontario Development Corp. officers that must be addressed in the great riding of Huron-Bruce. There is no presence in the riding of Huron-Bruce so that people can easily access those offices of government.

Dealing with the question of OHIP in our great riding, the closest office for some would be London, the district for the southern portion of the riding, or one would have to go to Owen Sound serving the northern part of the riding and the southern part of Bruce.

As a result, my offices as a member serve a lot of the needs of individuals. On many occasions, we are the first contact. Because of the busy nature of the telephone lines to various government programs such as youth employment programs, seniors' property tax grants or farm property rebate grants, we are the first office to be contacted and we end up being the local government office.

Increasing our riding from about 58,000 to 64,000 people means there will be a tremendous increase in the amount of work that has to be done at the local level. I do not mind that. I like serving the needs of the people of the great riding of Huron-Bruce, as I know you, Mr. Speaker, like serving the needs of the people of Oxford. However, there are limits to our ability to serve the volume of inquiries that comes to us. Until recently, a riding had only one employee who was paid full-time, or in my case two part-time employees, to serve with the member, and one person employed in Toronto. That was to address those 58,000 people.

An upward swing in the generosity of allocations for constituency assistance budgets has been introduced under the auspices of the new Liberal government, an open, forward-thinking, dynamic, accessible and universally acclaimed group of individuals who are setting policy for the better service of the province's individuals. That is some help. I may have missed a particularly good adjective that others may add later on.



With regard to serving the people, there is still a very heavy reliance in the rural part. I speak not only for the riding of Huron-Bruce; I know that other members who serve rural ridings anticipate the same problem. The member for Simcoe East (Mr. McLean) has an extremely large geographical area to deal with. He may not have the same difficulties as the member for Huron-Bruce, but geography really does cause concern in providing equal access to government services for the people of the province. The local member plays an essential and critical role in serving them.

If we go along with the scheme as it is now constituted, we will end up putting more stress and strain on the local members. Even though we enjoy the interaction with our constituents, we have to be sure we are able to handle in a reasonable manner the case load put to us and to our associates and colleagues working with us in the ridings.

I brought a number of items before the commission when I spoke in Barrie. I will not dwell on them except to say there are areas of the province that are not now at the level of representation in terms of population as is the southwestern part of the province. It seems to me that if we are to ensure that all people are represented equally, as some members would indicate, the entire province must be represented on that basis no matter what the geography. I think we have recognized that geographically there is a reason and there is a case to be made as to why geography and population mixed together should serve as the guidepost to the setting of riding boundaries.

I sympathize with people in northern Ontario who have geographic problems to a greater degree than I have in the southern part of the province. They have fewer people to represent in a greater area and hence a problem with access to government services, very much along the same lines as I do in the riding of Huron-Bruce.

In any event, if we use that indicator, that yardstick for determining riding boundaries and representation, then it ought to be used in other places. The great riding of Huron-Bruce ought to be looked at in the same light and we ought to be able to come up with a way of setting the boundaries so that people in the southwestern part of the province—namely, in the Grey, Grey-Bruce, Huron-Bruce and Huron-Middlesex areas—are not disadvantaged by losing one of four seats to come up with three new ridings.

As well, from a purely political standpoint, the Legislative Assembly ought to take into consid-

eration the historical role, and not only that but the current role, of agriculture in the affairs of this province. We have a critical role to play as individual members. I see at least four members here—the members for Hastings-Peterborough (Mr. Pollock), Simcoe East, Erie (Mr. Haggerty) and Essex South—who represent agricultural areas which play a very key role in the industry and in the generation of income for the province as a whole. These members well know we must put that case forward very strongly. In some ways we see a diminishing role for the agricultural spokesmen. I think that is inappropriate.

I am sure the member for Durham-York (Mr. Stevenson) will also agree that a louder voice is needed on occasion to represent the very specific needs of rural ridings. As a Legislative Assembly, we should take into consideration, both from historical and current points of view, why we should try to preserve as much of the agricultural representation as is necessary.

It seems to me there are ways—I have made suggestions to the commission and I will not bore the members with those; they have already heard some of them—in which we can deal with the redistribution report that would serve the people of Huron-Bruce and the people of Ontario in general, and certainly those who would like to have equal access for participation in the political and financial affairs of this province. They could have reason to be well satisfied.

I know there are areas of pressure within the province with respect to growth patterns which necessitate our changing boundaries. At the current time, I know there is a suggestion we should add only five seats. Perhaps we should ask the commission to examine the possibility of adding more to address those problems in the high-growth areas. I will leave it to the deliberations of this great House to determine exactly what suggestions might be made to the commission and whether those could be made. I think the province would be well served if we were able to expand our representation so that we could at least maintain or draw the line on the erosion of the number of rural-oriented seats in the province.

I want to indicate my commitment, whatever the result of this debate, to maintaining a very strong voice for the agricultural community of southwestern Ontario, as I know all of the rural members here would. I also want to indicate that my position will never be changed with respect to the need for access of those individuals to government offices and policies, whether it be through local members' offices or perhaps the

expansion of government offices available to people in the province.

**4:30 p.m.**

If we are going to be cutting back on representation to some areas that are not nearly so close to the centres of government action, then perhaps we had best look at moving the government closer to the people. That is something the Liberal Party would like to do in opening access to all the people in the province. I, for one, as a member have made a couple of suggestions today about how we can keep the representation very close to those people and enhance the presence of the government in areas where the government is currently not well served.

All of us who are rural members would feel some sense of frustration if our ridings were increased in size without a proportionate increase in the activity of government. I believe the people of the rural ridings must be served well and must have equal access to the services made available to anyone else through the government.

I want to thank you, Mr. Speaker, for listening to my comments in this debate. I trust we can make the accommodations necessary to ensure adequate representation to our rural ridings, which include the great riding of Huron-Bruce. As you know from listening to the member for Grey-Bruce, under the current suggestion the four ridings of Grey, Huron-Bruce, Grey-Bruce and Huron-Middlesex will be realigned to end up with the three ridings of Grey, Bruce and Huron.

Although the appropriateness of a county boundary is not one I would argue, I still feel the representation for that area necessitates the retention of four ridings with populations that are not that far out of line with the guidelines that were submitted to the commission in its early mandate.

**Mr. Pollock:** I am pleased to have a chance to comment on the electoral commission's report, but let me first congratulate you, Mr. Speaker, on your appointment as Speaker. I am sure you will be a credit to that office and a very capable chairman of this assembly.

In regard to the riding of Hastings-Peterborough, let me give members the history of the commission's report. In its first report, the commission proceeded to add the township of Thurlow to the Quinte riding and the township of Tyendinaga, the town of Deseronto and the Indian reserve to the riding of Prince Edward-Lennox. These municipalities were taken away from the county of Hastings portion of that riding.

In Peterborough county, the proposal was to remove five townships from Peterborough riding—Otonabee, Douro, Cavan, North Monaghan and South Monaghan—and add them to Hastings-Peterborough riding. During the appeal process, a meeting was held in the city of Peterborough which all the surrounding municipalities involved attended, as did Thurlow and Tyendinaga. I attended the meeting in Kingston to voice my concerns.

At that meeting, I stated that I did not want to see the county of Hastings carved up any more. There are already two members representing the county of Hastings and it seems more practical to leave the county intact. I felt it was unfair to remove the most populated area from what is already the largest geographical riding in southern Ontario. When I go to visit parts of my riding, I have to drive through the ridings of Northumberland and Peterborough to get there.

I agree with the comments made by the member for Grey-Bruce that rural people and rural members will lose a lot of their clout if this present proposal goes through. The residents of Thurlow, Tyendinaga and Deseronto are within a few minutes' driving distance of the city of Belleville, which is the county seat for the county of Hastings. They can call either part without long-distance telephone charges. Many services are provided from the same area. The Ontario Ministry of Agriculture and Food office is in Stirling and numerous provincial offices and agencies are in Belleville serving that area, as is the county board of education. The separate school board serves both the county of Hastings and Prince Edward county.

There was quite a long lapse before the commission brought forth its next recommendation. This proposal would add Thurlow, Tyendinaga, Deseronto and the Tyendinaga Indian reserve to Prince Edward-Lennox and they propose to add the townships of Otonabee, Douro and that eastern portion of the city of Peterborough to Hastings-Peterborough riding. This action would divide the city of Peterborough and it has protested this approach.

I strongly recommend Hastings-Peterborough be left as it is. This riding is within the criteria given to the Ontario Electoral Boundaries Commission, which set the ideal population of a riding at 68,000. If the commission finds the present riding has a population either 25 per cent higher or lower than that, it recommends a movement.

Peterborough constituency is over the allowable percentage and the riding of Prince Edward-



Lennox is under. I predict the Prince Edward portion of the constituency will grow quite rapidly with the completion of the Norris Whitney bridge over the Bay of Quinte. The Lennox portion, which is along Highway 401 and includes the town of Napanee, because of its close proximity to the 401 and also to the city of Kingston, would expand quite rapidly too. I certainly feel that Prince Edward-Lennox will grow quite rapidly in population now and therefore should be left alone.

I also feel Peterborough riding should be left alone, despite its large population. If it is still felt it is unacceptably large, one or two rural municipalities might be added to Hastings-Peterborough. A municipality such as the city of Peterborough should not be divided as proposed. In my opinion, riding boundaries should correspond to the county and municipal boundaries as much as possible. The commission should not just play the numbers game.

My colleague the member for Peterborough has stated that even if the constituency is divided, people probably would continue to call his office. I see no reason to change on county boundaries if it can be avoided, and I would certainly prefer the riding of Hastings-Peterborough be left as it is.

**Mr. D. S. Cooke:** I will speak very briefly on this matter. I want to share some of the concerns the member for Essex North (Mr. Hayes) expressed, also as a member from Essex county. The fact that the commission was limited to 130 seats has had a very negative impact on communities such as ours. The population of our area decreased during the recession. At that time, because unemployment was at 25 per cent to 30 per cent, many people moved out of Windsor and, therefore, the census on which the redistribution is based reflects the lowest possible population for the Windsor-Essex area. Based on those population figures, it was difficult to justify the maintenance of five seats.

**4:40 p.m.**

However, I feel that if one looks at other areas of the province, there are reasons Essex county should have five seats. Under the current proposal there will be only one seat in the city of Windsor itself. It will be purely urban. The seat I represent will take in some of the county area and the seat the member for Windsor-Sandwich represents will also take in some of the county. The only riding that will be left to represent solely the city of Windsor will be the current riding of Windsor-Walkerville. Three seats is not

unreasonable for a city the size of ours, with a population of 200,000.

I certainly agree that redistribution needs to occur. The difficulties with rapid population growth in some areas of the province mean there has to be redistribution. My riding is a good example. It is bigger than any of the federal ridings in our entire region, so I need to lose some of that population and share it with another member of the Legislature from our area.

However, I think a community that represents interests as diverse as ours, that has urban as well as rural interests, deserves and needs to have five members of the Legislature to represent adequately the interests and needs of our community.

I must say this second round of redistribution is much better than the first. The first proposal had a most ridiculous riding, one called St. Clair, that was going to run from the eastern boundary of my riding all the way to Dresden in the county of Kent. It was a most unsatisfactory proposal.

However, the current proposal has some difficulties, not only in terms of the numbers, but also specifically with my riding. My constituency office and my home will be in the Windsor-Walkerville riding instead of Windsor-Riverside. That can easily be taken care of, even though I am locked into a four-year lease. I am sure I can make arrangements somehow. Perhaps it would be better to run in Windsor-Walkerville in the next election.

There is one area of the current proposal I think must be changed. I guess the only way to get that across to the commission is through this debate. There are several communities within my riding. In the first proposal, the community of Forest Glade, a new subdivision, was divided in the middle. The commission recognized that was inappropriate and it put the community back together again in the second proposal. However, instead it cut another community in the middle, one of long standing called Drouillard Road. There are a lot of older people and ethnic people in that community.

It has a silly proposal along the river. Anybody who has been in Windsor knows that. North of the railway tracks to the Detroit River will remain in my riding; south of the tracks will be pulled out of my riding until one gets to a road called Tecumseh Road; then south of Tecumseh Road one will be back in my riding. It is absolutely silly to proceed with that proposal.

In discussing the matter with other members of the Legislature from our area, I think we have come to the conclusion that it would be much

more satisfactory to use the current westerly boundary of Windsor-Riverside, go up Tecumseh Road and through the centre of Tecumseh Road east to Jefferson. This would take in a community called Chrysler Centre, obviously near the Chrysler plants, and would provide the proper population shift to the riding of Windsor-Walkerville, while at the same time maintaining the communities that exist in Windsor-Walkerville and Windsor-Riverside.

That proposal would shift a bit more population back into my riding and would still result in my riding being larger than any of the other provincial ridings in our region. None the less, it would provide for better community relationships and would not disrupt the communities that exist in our ridings. There are many distinct communities in the city of Windsor.

That is my major concern. I understand the restrictions the commission has with the 130 seats. When the proposals came out, the local members of the Legislature kicked and screamed and said we deserved to have five seats, and I agree we deserve to have five seats. However, I suggest to the members of the Liberal Party that if they had accepted our proposal to go to 135 or 140 seats when the motion was originally brought to the Legislature, there would not have been a need to lose seats in southwestern Ontario.

Areas such as Scarborough, Ottawa and London, areas that have had rapid population growth and need more seats, could have achieved the increase in seats; but areas such as Windsor, which have not had population growth, could also have maintained adequate representation. We deserve that kind of protection. We were not afforded that protection with the 130-seat restriction.

Basically, I think the commission has done a remarkable job, given the restriction of 130 seats. I just hope that when the final draft comes in, if we are to stick with the upper limit of 130, that specific concern in my riding would be addressed so that we do not divide a community in the great riding of Windsor-Riverside, which I think has grown up together, has lived together and probably is a better-organized community than most. I would hate to see the Drouillard Road community split. It should be in either one riding or the other, but it should not be in both.

That is really all I had to say. I hope the commission will respond to those specific concerns.

**Mr. Henderson:** I rise to speak on the subject of Ontario electoral boundaries, further to the many objections that have been raised by some of

my constituents to a report of the Ontario Electoral Boundaries Commission dated November 1984.

At the outset I should say a word of appreciation to all those who laboured long and hard to prepare this very comprehensive report. Their work has been exhaustive. I believe they took great pains to facilitate and consider input from a variety of sources in the course of their deliberations. I have heard of their work and I feel the commissioners and other contributors are to be commended for their earnest and painstaking approach to this most difficult task.

However, with the passing of governments and the election of new members, there emerges a new perspective. It is in such a spirit—that I speak now. I am, of course, speaking not to criticize the work that has been done but rather to add my voice to a new point of view brought to this Legislature by those only recently fired in the crucible of campaign experience.

I hope I do not need to add that we newly elected members, although new to the processes of this particular Legislature, are rich in our experience with the institutions and traditions that make up Ontario. Ours is therefore a seasoned voice despite our recency, and our thoughts and perspectives will, I trust, be deemed well worthy of consideration.

I shall be brief and will address my few remarks to the issues of naming and of boundaries. I believe the naming and the boundaries of electoral districts in Etobicoke should reflect the rich cultural history and the existing neighbourhoods of our city. For example, the southern portion of Etobicoke, often known as Lakeshore, is a well-defined natural community within Etobicoke, possessed of its own traditions, community spirit and political history.

The early history of one of our three established political parties in Ontario can be traced in part to Lakeshore. Some of the founding fathers and some of the earliest beginnings of that party emerged from the Lakeshore area of Etobicoke. It is surely no coincidence that the current sitting member for Lakeshore (Mrs. Grier) represents that party. In fact, I lived there briefly myself some years ago; so I speak as a former resident.

Although I feel I myself may represent an even more noble and venerable political tradition, it would seem to me regrettable for all of these reasons to abandon the term "Lakeshore" in designating the riding that comprises the southerly portion of Etobicoke, my former home. I would therefore recommend that the term "Lake-



shore" or, if necessary, "Lakeshore-Etobicoke" be preserved to designate the southern portion of the city of Etobicoke.

4:50 p.m.

In a similar way, I strongly argue for the preservation of the term "Humber" or, if necessary, "Humber-Etobicoke" to refer to the eastern and north-central portion of Etobicoke. It is now about 370 years since the French interpreter Etienne Brûlé travelled down the Humber River to become the first of European blood to gaze upon Lake Ontario.

As the historians tell us, for the historical birthday of the Humber River and for the romance and tragedy of an explorer's life, we must look to a pioneer of pioneers, the interpreter Etienne Brûlé, the youth who combined French enthusiasm, flawless courage and Indian tenacity, apparently with a total absence of self-seeking in all his motives.

Lake Ontario was discovered by him and the Humber was used as his pathway to reach it. Only the briefest mention of Etienne Brûlé is usually made by early historians of the coming of the Europeans to what is now southern Ontario. Brûlé himself left no written account, but Champlain and others recorded Brûlé's accounts of first-hand experience with the natives of the Great Lakes.

As Champlain's interpreter and servant, Brûlé spent years among the Hurons and subsequently among the Iroquois, and even provoked some jealousy on the part of his boss and mentor, Champlain. Etienne Brûlé was able to master the language and customs of the native Canadians of the Humber Valley and was able to provide Champlain with detailed information of the inland seas that we know as the Great Lakes.

Etienne Brûlé, the navigator of the Humber River, was the first European to navigate Lake Ontario. As well, he was the first European to see Georgian Bay, Lake Huron and Lake Superior. He destroyed Champlain's fondest expectation in revealing that the hoped-for north sea, Lake Superior, was in truth fresh water.

Brûlé had arrived at Lake Ontario on a mission for Champlain from the narrows of Lake Simcoe via the Holland River across land to the headwaters of the Humber, which he descended to discover Lake Ontario. That course along the north shore of Lake Ontario to the mouth of the Humber and thence up the Humber River, down the Holland River and through Lake Simcoe and the Severn River to Georgian Bay became a route well travelled by the early Europeans of North America.

There is also evidence that the native Canadians of the area travelled directly from the Humber River to the Nottawasaga and from there to Georgian Bay. It was in September 1615, 370 years ago last month, at the mouth of the Humber that Etienne Brûlé first gazed upon the broad expanse of Lake Ontario.

About 1934, Brûlé met a tragic and gruesome end, having been caught and eaten by the Hurons at their village of Toanche near Penetanguishene.

**Mr. Wildman:** Would that not be 1634?

**Mr. Henderson:** Yes, 1634.

**Mr. Wildman:** Things were bad in the Depression, but not that bad.

**Mr. Henderson:** I was not around then, so I cannot speak to that.

In the Indian way, some years after Brûlé's death, his spirit was avenged when the frightened Hurons attributed an epidemic to a visitation by a sister of Etienne Brûlé. She was alleged to have been seen flying over their country breeding pestilence and death. That is further evidence that it was 1634, not 1934.

I provide this brief summary of the contributions of Etienne Brûlé to bring to the attention of this Legislature a little of the rich history and tradition that is ours in the community of Humber. It would be a shame if this rich heritage and the brilliant discoveries of the martyred Etienne Brûlé in Humber were to succumb to the vicissitudes of electoral fashion and convenience. Etienne Brûlé is a little-sung hero of Canadian history, a man whose roots are in part native Canadian and in part French-European, who, in the service of early French and English explorers of our nation, contributed so much in Humber to the discovery of Ontario.

It would also be regrettable because the francophone heritage of our province is too little appreciated. How many Ontarians are aware of the early francophone history of the Royal York or the Kingsway in Humber? How many Ontarians are aware that Toronto, Lake Simcoe and the city of Windsor once had French names? The Humber Valley has a rich heritage which deserves to be protected in the work of our commissioners as they strive to construct the new electoral boundaries of Etobicoke.

Therefore, I recommend that the community along the west bank of the Humber River be preserved and I also submit the following recommendations to our commissioners:

First, I put forward a view, which has been articulated by some of my constituents, that the area of Etobicoke lying west of Islington and bounded by Bloor Street West on the south and

Eglinton Avenue West on the north, comprising a community more remote from the Humber River, might be allowed to fall into the old riding of York West, now proposed to be referred to as Etobicoke West.

Such a step would recognize as well the sociocultural and neighbourhood affinity of the west area of Islington with the western portion of Etobicoke. It seems in many ways a sensible step. I believe this small step alone would go a long way to alleviate much of the dissatisfaction which has been expressed in regard to the revisions proposed in the November 1984 report.

A few of my constituents have asked that the larger area lying between Eglinton Avenue West on the north and Bloor Street West on the south and lying west of Royal York Road, not just west of Islington, be similarly included in York West or Etobicoke West. The fate of that idea might well depend on what decision is made about the area of my current riding of Humber which lies south of Bloor Street.

If the area south of Bloor Street is to remain in Humber, then the area between Royal York and Islington could be ceded westward also without too great an incursion into the population numbers of the riding of Humber. If the area south of Bloor is to join the riding of Lakeshore or Lakeshore-Etobicoke, then only that portion west of Islington and bounded on the north by Eglinton Avenue West and on the south by Bloor Street West should be ceded to Etobicoke West or York West, lest the population of my riding of Humber become rather unrealistically small.

Second, there is a strong argument to be made on behalf of those of my constituents who have put forth the view that the entire area of Etobicoke lying north of Eglinton and south of the Macdonald-Cartier Freeway and incorporating part of the headwaters of the Humber River should become part of the riding of Humber. That area is culturally homogeneous, contains a large ethnic population, is homogeneous with respect to neighbourhood and other cultural links and is noted for its unity in diversity. It may be artificial to define Martingrove and Kipling as the western boundaries of the northern portion of my riding.

There may well be a valid argument to be made to allow the remainder of that portion of north-central Etobicoke lying between Eglinton and the Macdonald-Cartier Freeway, that is, the portion west of Martingrove and west of Kipling, to fall towards the riding of Humber or Humber-Etobicoke as well. In other words, I am suggesting that the entire area north of Eglinton

and south of the Macdonald-Cartier Freeway might join my riding of Humber or Humber-Etobicoke.

My third recommendation, to repeat, is that the term "Humber" be preserved in referring to my riding and that it continue to be known as Humber riding or, if necessary, as Humber-Etobicoke.

I have appreciated this opportunity to set forth some relevant notes from the history of Humber Valley and to put forward as well some views of some of my constituents with respect to riding boundaries for this proposed electoral redistribution.

**5 p.m.**

**Mr. Cousens:** I rise in the spirit of other members to compliment the commission for its hard work and expertise in reviewing the boundaries of the province. I do not think one can find many groups that have worked as hard or as conscientiously to meet the terms the Legislature has set for them to follow.

The fact that we as a Legislature went so far as to offer to create five extra seats is going to make it difficult for us to find room for them here. If we keep doing this every 10 years, before we know it we will have another set of problems.

**Mr. Haggerty:** Our side will be over here.

**Mr. Cousens:** No. Our side over here will be back over there, and the problems of the members opposite will begin again.

I believe the commission has done an outstanding job. The worry I have is that if they start reading all the Hansards of all the people who are objecting to everything, they are going to start disrupting those areas where they did an excellent job. I would at least like to echo the feelings of many people—in fact, all the people in my riding with whom I have talked—that the revised recommendations are very pleasing to the people of the present riding of York Centre.

York Centre, as they well know, is one of the fastest-growing ridings in Ontario. We have 96,172 electors, with more than 160,000 people in the riding and we are growing at the rate of more than 500 a week; so as a riding it is very fast-growing. The commission, in understanding this, has carved out of York region at least one new riding, notwithstanding the changes it has made to York-Durham, and in doing so it is recognizing the rapid growth within York region. If only other parts of the province could recognize the needs of this fast-growing area for hospitals, beds, extra police protection and all the educational services we require, we too would be very pleased. But at least the commis-



sion has made the kind of start in this understanding that is inherent to proper representation by people in Ontario.

I believe that when they reviewed the recommendations from me and from people in our community, when they carved out the new riding of Markham, which will consist of the municipal boundaries of that community, that riding, though large—there are now more than 105,000 people in the town—will still be viable. The new riding of York Centre, which will include the communities of Richmond Hill and Vaughan, also becomes what I feel is a viable, workable riding where there is a sense of community between those two municipalities. Consequently, as we look at what the commission has done, let us compliment it, because certainly within the area I represent I see it as having understood the needs of our community.

Talking about community, many others in this House have been concerned that their communities have been broken up and disrupted by the way the lines have come through their towns. That is not the case in our area. We in York region are glad to have Steeles Avenue to separate us from the area to the south. Although we are pleased to use the services to the south, we do like to think of ourselves as unique and distinct. In that sense we did not want to see any kind of joining-together with the area south of Steeles Avenue.

Having said that, I also feel we are now dealing with communities as a whole. The whole of Markham, the whole of Richmond Hill and the whole of Vaughan will be represented, instead of having Vaughan split up between two members sharing the responsibilities for that good community.

I believe the size the commission has looked at is also within the working reality of the guidelines it was given. The York Centre and Markham ridings will both be in the range of over 70,000, which is a workable number. I also think York North as designed is good for York region. The size of the ridings is in keeping with the guidelines that our House has given the commission.

The timing is the urgent thing. Now we have unfair representation. Although the member for York North (Mr. Sorbara) and I in York Centre work very hard to serve our constituencies, there is a need for the people within these ridings to have fairer representation, because between these two ridings alone there is room for one additional riding; so there is a need to speed up on this. I do not think there is any reason to delay

and procrastinate or to see the House hold back quick approval of the recommendations, should they come along the same as they are now.

I approve of the recommendations that have come from the commission. I hope the commission does not make changes in those areas where people have expressed happiness, and I say that on behalf of the people from the present York Centre. Then we can proceed with the next step and have these new ridings implemented so the people can be represented as quickly as possible. I see that as one of the goals we have.

I believe so much is said that is criticized and so many of us are busy tearing things apart, but it is a delicate and difficult job to put together the boundaries for all the people of this province. I have a great deal of confidence in the people who are doing that. I hope they are able to do so in the continuing spirit in which they have done it until now and that they will be guided by the remarks of all the members of this House.

I also hope they will be able to do it so at least those of us who are happy stay happy and those who are not happy become happy. Then we will all go away and live happily ever after until the next time we come together to discuss it in the early 1990s.

**Mrs. Grier:** I am one of those who is fairly happy with the recommendations of the commission report, and I appreciate the comments of the member for Humber (Mr. Henderson) in support of the retention of the name of Lakeshore. That is certainly the burden of the remarks I want to make.

The boundary as it has now been recommended is acceptable to me. I was a member of the council of the city of Etobicoke at the time the boundary recommendations were made in February 1984. With other members of city council, I was very concerned about those preliminary recommendations. Council was anxious that the four ridings that represent Etobicoke all be contained within the city boundaries, which was not done in the first recommendations.

As a result, the city established a committee to examine the question of the boundaries and had city staff do fairly extensive examination of the population in various segments of the community. It came up with a series of recommendations which were presented to the boundaries commission at its public hearings. I was present at those hearings, representing my own riding and the New Democratic Party in that area. The city was represented by its lawyer and its planners, and there were representatives of the other parties from other ridings throughout the city.

At those hearings we had a very full and useful discussion of the difficult question of how to draw the lines on the map. The recommendations that are before us now are the product of that discussion and the product of some compromise on the part of all members. For that reason, they are worthy of support.

Lakeshore riding is the smallest in the city of Etobicoke and therefore, inevitably, has to be increased in size. As we are the most southerly riding, the only way it can be increased in size is to go north. It becomes a question of whether we go north to the east taking some of the riding of Humber, or north to the west taking some of the riding that is now York West, to be called Etobicoke West under this plan.

If one takes population from that Etobicoke West riding, as was suggested in the preliminary recommendations of the commission, one is taking a small segment of a community that is totally divided from the rest of the riding of Lakeshore by an extensive industrial area.

The recommendation that the boundary of Lakeshore be extended to Bloor Street, running all the way across to the Humber River, is much the most logical. That would mean the riding of Lakeshore would have as its boundaries some very definitive natural boundaries, the Humber River on the east, the Etobicoke Creek on the west, Lake Ontario on the south and Bloor Street and that industrial area I mentioned on the north.

The history of the Lakeshore is such that we are a collection of older communities. The area at the very southern part of the riding was formerly the municipalities of Long Branch, New Toronto and Mimico. The Humber Bay area, which is to be joined to Lakeshore under this proposal, is also an older area of smaller homes and people who have lived there for a very long time, the kind of population that is entirely compatible with the existing population of the riding of Lakeshore.

**5:10 p.m.**

The catchment areas of many of our social and community organizations are also compatible with the proposal that Etobicoke South or Lakeshore be from the lake to Bloor Street. That is an important factor to remember in these discussions, because there are many groups who have evolved or have been defined on the basis of the community and the municipal wards as they exist. Therefore, to take part of Etobicoke West, as was first suggested, is totally incompatible with the history or the population mix of the riding.

The question of the name, as was enumerated by the member for Humber is an important one. I might not quite agree with the reverence he shows for Etienne Brûlé. I am not quite sure he was the hero he has been described as. I had some occasion, as a member of city council, to explore his history when the city was proposing to emblazon him on our coat of arms. I did not find him exactly the hero of whom we ought to be so proud. However, I recognize the historic links of the Humber River and the name of Lakeshore, and it would be unfortunate to change those as a result of this discussion.

At the hearing of the commission I attended, it was suggested by representatives of the existing riding of York West that the name of that constituency ought more properly to be Etobicoke West. City council agreed with that position, because the York West riding federally has no link to the one provincially and therefore it makes sense to have that westerly riding called Etobicoke West.

There was no discussion at the commission's public hearing of a change in the name of Lakeshore. We had some discussion around that of Humber, and I felt we had satisfied the commission that the existing name was satisfactory and adequately described the riding. Thus, I was very surprised when the recommendations emerged to find not only that York West was changed to Etobicoke West but also that we had Etobicoke East, South and North.

I think the member for Etobicoke (Mr. Philip) is going to speak on the question as it applies to his riding, but I do not believe Etobicoke South is acceptable to the people of Lakeshore. I hope the commission will change that back to the historic and well-known name and that it will support the recommendation of the member for Humber and retain the name in that instance as well.

With that change, I think we could live with the boundary changes that have been recommended by the commission. If it can see fit to accept some of the recommendations for boundary changes that have been made by the member for Humber, I think that too can be done while retaining the recommended boundary for Etobicoke South or Lakeshore.

**Hon. Ms. Munro:** I appreciate the opportunity to speak on the issue of redistribution. Like every other member of this House, I am directly affected by the proposals that have been put before us in the past few months. Like all of us here, I am bound to support the principles of the issue; that is, the reality of one person, one vote.



There will be minor variances from what has been proposed. That is totally understandable and predictable. The commission that brought in the proposals was charged with finding a solution to redistribution based mainly on population. The members of the commission therefore focused primarily on the issue of population and did not schedule an appropriate amount of time on the details of local demographics that will be so important to each member of this House.

As an example, my riding of Hamilton Centre takes a change in direction and population numbers, almost doubling what it is now. The eastern part of the riding is carved off and a large new area is added on the west. All these neighbourhoods, however, are within the city of Hamilton; they are part of the same economic and cultural base. It would be quite a different thing if more diverse communities were being linked. An example of this is in Burlington South, where a community on the east side of the riding would be split under the proposal.

I have seen data that project the results of the last election in the proposed ridings after redistribution, and I was rather amazed to see there would be very little overall change. The growing urban areas would have more seats, and the rural areas would be shifted around substantially.

My friend the member for Grey-Bruce faces a change in his riding and he has spoken to the issue earlier this afternoon.

The simple imperative is that even as we propose minor changes to allow for local, economic or cultural alliances, we must stay away from the kind of activity that made Governor Elbridge Gerry of Massachusetts part of our language. He reconstructed the electoral districts in such a way as to give the greatest advantage to his party. He brought to us the term "gerrymandering" from the crooked shape resembling a salamander arising out of self-serving reconstruction.

I fully support the principle of equal population in each riding; that is how we will best assure the principle of one person, one vote. I also fully understand the problems faced by our colleagues in the north where travel makes it nearly impossible to create ridings of equal population. However, I wonder if the same arguments will allow for smaller populations in ridings of dense but diverse urban populations.

We do not have ghettoization in Ontario, and I hope we never do, but we do have areas where specific ethnic or economic groups are concentrated. We developed the ward system for

municipal elections at the turn of the century to ensure representation for these ethnic and economic groups. I believe we are bound to consider them as we move through this job of redistributing the ridings in this province.

I am not asking for any change for my riding as it is proposed. I am not rejecting change for any other riding. I am asking all members of this House to get down to business and to approve redistribution quickly so it can be in place for any coming election, bringing the principle of one person, one vote a little closer to actuality.

**Mr. Stevenson:** I am pleased to join in the debate on electoral redistribution. I want to discuss briefly the situation in the riding of Durham-York as it exists today and from there develop some thoughts on one change in particular that I would be pleased to see happen.

If a change could be made in the proposed riding of York-Ontario—I will say from the outset that I do not like that name—I think the people in that area would be quite pleased. I see from the motion that the current member for York North would be quite pleased with my suggestion as well.

The current riding of Durham-York is a rural riding. It is small-town Ontario at its best, and small business, agriculture and tourism are the economic heartbeat of the riding. However, it is a fairly large riding for an area so close to Metro Toronto.

The westerly boundary of the current riding is Bathurst Street, equivalent to that street in Toronto. The easterly boundary is east of Bowmanville, or the equivalent of being east of Bowmanville. The southerly boundary is one concession south of Highway 7, which people in the York and Durham areas are quite familiar with. Indeed, part of my riding overlaps that of the member for York Centre (Mr. Cousens). The northerly boundary is the Talbot River at Gamebridge, which is the northern boundary of Durham region.

The riding is not far off 60 miles in each direction. There are many members in the House who have larger geographical districts, but for a riding that close to Metro Toronto it is fairly significant in size and shows the rural nature of the riding.

**5:20 p.m.**

Redistribution has affected this riding for one reason only: there is substantial growth in the bottom end of York, the south end of York and in the south end of Durham. According to the 1981 census figures, I believe Durham-York was around 72,000. I do not have the exact figures in

front of me. The proposed York-Ontario riding is 68,000. There is little change, and the effect it is having on that riding is strictly because of the growth in the southerly municipalities, creating a teeter-totter effect on that rural riding that splits York and Durham east to west across the top.

I would like to submit that the people in Durham-York have been served very well over the years with the present configuration. As we look at the people who live there, the agricultural groups there know no municipal boundaries. They get agricultural parts, equipment parts, feed supplies and so on, back and forth across municipal and regional boundaries, and business goes on in the agricultural community as if those boundaries were not in existence.

Although the offices of the Ontario Ministry of Agriculture and Food in the area are set up largely on a regional basis, when they have their area meetings it is not at all uncommon to see 10 to 20 per cent of the producers at an agricultural meeting from the opposite region.

A very important geographical structure there is Lake Simcoe, and the southeast shore of Lake Simcoe takes in the townships of Brock and Georgina. It would be a great disservice to the people of those two communities if they were separated in redistribution. Even though Brock is in the region of Durham and Georgina is in the region of York, the importance of that lake to the economy of the local area is so critical that it would be extremely unfortunate to split it in the provincial jurisdiction.

The first proposal by the electoral boundaries commission did split it. Fortunately, many people came forth and pointed out the errors of their ways, and the current proposal, which we are debating, has put Brock back into the proposed riding of York-Ontario. I certainly applaud them for that move in seeing that error.

Of course, in the present riding is the south end of Lake Scugog in the Port Perry area. If you ask many of the residents around the shores of Lake Scugog what they have in common with the people on the shores of Lake Simcoe, they will say, "Relatively little." But from a provincial-jurisdiction point of view they have a great deal in common, because both of them are on or adjacent to the Trent-Severn system. The Trent-Severn system goes through Lake Simcoe, and the Scugog River and Lake Scugog connect into the Trent system at Lindsay. So it is very easy to travel by boat from the two lakes, and it is a very scenic trip.

It is also interesting that these lakes are two of the most heavily fished lakes in Ontario. I believe

Lake Simcoe is without doubt the most heavily fished lake in Ontario for sports fishing. About a million person-hours per year are spent fishing on Lake Simcoe, and when you express it on a per area basis, the fishing load on Lake Scugog is essentially the same. The bass and walleye fishing on both of those lakes and the walleye run on the Talbot River are very well known. On Lake Simcoe one usually hears of the cold-water fishery and not of the warm-water fishery.

When we look into the area, we see that our baseball teams, soccer teams and hockey teams go back and forth across these regional boundaries into Scugog and into East Gwillimbury, Georgina and Brock, and they do so in all the local leagues. Indeed, when I was attending high school there, the three high schools in question used to play in the same interschool league. Now, for various reasons, they have been separated, but they still have exhibition games between those schools. There are many cultural connections among those municipalities as well.

What I am leading up to is the situation where, under the proposed riding, Scugog is to be taken from the present Durham-York riding and put into Durham East, and Whitchurch-Stouffville is to be added to the York-Ontario riding in the place of Scugog and the north and rural part of Pickering.

Whitchurch-Stouffville is an excellent town and it has some business, sports and agricultural connections with the municipalities in Durham-York riding, but it is somewhat more urban in atmosphere. It is safe to say, as far as their work and their social activities are concerned, the people in Whitchurch-Stouffville think more along the lines of visiting Markham, Aurora and Newmarket than Metro Toronto. I understand from the motion the member for York North has put forward that he would prefer to see Whitchurch-Stouffville stay in the York North riding and it is my expectation that the people would prefer that alignment as well.

I would ask the people in the electoral commission to have another look at the situation of leaving Whitchurch-Stouffville with York North. It will increase that riding, but it will not be anywhere near the largest riding in Ontario in population, still well within the guidelines. The Scugog municipality could then be left in York-Ontario riding or Durham-York riding, as it currently is, in its place. The population there is quite similar.

To argue for leaving the rural part of Pickering in the Durham-York riding is somewhat more difficult. It is very rural and it has the same



agricultural and small business connections as the rest of the Durham-York riding, but the fact that it splits the municipality of Pickering into two ridings certainly weakens the argument for leaving the Durham-York riding the way it is.

To show the agricultural connections, even in the Pickering area we had a situation where a corn dryer was creating a bit of extra noise and some local people got excited. When there was some action taken on that agricultural facility, farmers throughout the whole riding wrote to me to ask that some special consideration be given. Clearly, there are agricultural connections from many of the more northern municipalities into Pickering.

I would ask that in future redistributions the split across the north of Durham and York region be maintained. It represents those areas well. To give an example, there was a suggestion from some of the York region people that Georgina, East Gwillimbury and Newmarket be put together into one riding. I believe population numbers would be about correct, but, as a resident of Georgina, I could not support that, even though it would put that whole riding in York region.

It would mean that Newmarket would have by far the greatest percentage of the population and would get the greatest attention. It would also mean that most of the candidates coming out of that riding would largely be from Newmarket. I believe it is best that we maintain the rural communities, the rural municipalities, together whenever we possibly can. Currently, the municipalities in the riding are about the same size, meaning that everybody has about the same clout in the riding as far as trying to get attention from the provincial level of government is concerned. I strongly believe we should try to keep it that way wherever possible.

**5:30 p.m.**

In summary, I would say the redistribution is affecting Durham-York for one reason and one reason alone; that is, the growth in the south end of York and Durham. As we go through future redistributions, it will simply be a teeter-totter, affecting that north riding in adjusting for what is going on to the south. It confuses the voters in the area, and it is safe to say that if Whitchurch-Stouffville comes into the York-Ontario riding now, it is highly likely that the next redistribution in the early 1990s will see it taken out again because of the growth down there.

I would agree with the member for York North. Those people would be happier remaining in his riding. I would be very pleased to be the representative for the Whitchurch-Stouffville

area, and I would have no hesitation to attack that situation with great vigour. However, when we have to look at how people are represented and where they would be happiest, I really suspect they would be most pleased with staying in the York North riding, largely because of their community of interests.

The tradeoff for Scugog would certainly please the people of that area. The adjustments could be made in the Durham East, Durham Centre, Durham West and Oshawa ridings and make all four of those approximately the same size. I see no difficulty with making that change in the numbers.

**Mr. Philip:** It is a pleasure to participate in this debate. I listened with attention, interest and considerable agreement to some of the comments made by my colleagues from the city of Etobicoke, namely the member for Humber and the member for Lakeshore.

I must compliment the commission on what is undoubtedly an unbiased, fairly well thought out and reasonable proposal. I will not repeat some of the sentiments of our former colleague and party leader, Donald MacDonald, who has said that to his knowledge, in the history of various commissions and redistributions, certainly this is the one open to the least amount of attack with respect to any kind of political bias. Indeed, in my conversations with Warren Bailie I expressed that sentiment to him, and my appreciation for the way in which he has managed to conduct himself in that office.

Having said that, I would like to emphasize a few of the things the members for Humber and Lakeshore said. Over the last 10 years, I have represented a riding that is called Etobicoke but which consists of a corner of the city of North York and the northern part of the city of Etobicoke. This has caused tremendous confusion.

When I was first elected, I had people throw out my riding report, saying, "This fellow cannot represent us because we live in North York and it says 'Etobicoke' on it." Once that was overcome, we still have had a constant series of phone calls from people living in Lakeshore, Humber and York West. They felt that because they lived in Etobicoke I was their MPP and should handle their problems.

I suggest what has been created in this map is quite different from the preliminary one that came out. It has created a riding that essentially is a community, Rexdale. It seems to me it is the natural boundary line. While there were certain aspects of the former line that might have been to

my advantage, and while I am certainly going to miss that section of North York where I did so well politically, none the less the lines that are drawn here are not open to any kind of logical argument one can make against them.

There is a community called Rexdale. Highway 401 is the natural boundary line. There is a logical population there and, indeed, the map as it is now proposed makes some sense.

What I would suggest to the commission, however, just as the member for Humber suggested his riding should retain its name and my colleague from Lakeshore has suggested her riding name should remain, is that it would make a lot of sense that the riding I would represent under redistribution should be called Rexdale. There is a community called Rexdale and people know where the boundaries are.

On the other hand, if one asked a number of people living in the Dixon Road area or perhaps even as far south as Eglinton, "Where would you think you live if we gave you a choice of four names—Etobicoke South, Etobicoke East, Etobicoke West or Etobicoke North?" some people as far south as Eglinton might well say: "I probably live in Etobicoke North. I am fairly far north." They probably see themselves as living fairly far north in comparison to the people south of them.

Calling the riding Rexdale would make a lot of sense. It seems that general thrust is supported by three of the members who have spoken and I hope the commission will take these comments into account. I again compliment the commission on the fairness with which it has approached this and on the lack of bias and the fairness it seems to have shown in preparing this report.

**Hon. Mr. Wrye:** I rise to make a few comments on the second effort of the Ontario Electoral Boundaries Commission and to raise some concerns. At the outset, I might say that in proposing a second set of boundaries the commission has done much better than it did the first time as far as the riding of Windsor-Sandwich is concerned and as far as the entire community of Windsor is concerned.

The original proposal had two urban ridings, two Windsor ridings, and a third riding, Windsor-Sandwich, that was an umbrella around Windsor and returned us to a day we thought was gone for ever, when diversity rather than community of interests took precedence.

I am very pleased that in its second, revised proposal the commission appears to have gone some distance in putting back in place ridings that make some sense in terms of community of interests, which in urban areas are sometimes

very difficult to put together but which are very important. It is to that community-of-interests issue I wish to speak today.

The commission will be well aware that on the western and southwestern ends of Windsor there is a fairly natural riding that does not appear to fit the commission's needs in terms of population. As a result, the commission has added to the riding of Windsor-Sandwich an area immediately to the southwest of Windsor, Sandwich West township, which is part of the county of Essex.

I might note in passing that on the eastern side the commission has added the towns of Tecumseh and St. Clair Beach to the riding of Windsor-Riverside. I think it is inappropriate that a community of nearly 200,000 people should have only one indigenous riding and that two of the three members for the Windsor area should be required to represent not only the very important matters in Windsor but also to take a substantial degree of interest in matters in Essex county as well.

**5:40 p.m.**

It seems to me that in adding Sandwich West township, a township about a mile to the west of where I live, the commission has simply added a pocket of population of 13,000 or 14,000 to the nearly 62,000 people who live in a compact area within the city. Having done that, the commission then seems to have arbitrarily removed a certain portion that is now in the riding of Windsor-Sandwich—indeed, has cut a portion of a compact community—in order to reach some numerical level. I think that is entirely inappropriate.

I am speaking most particularly of the area in the core of south Windsor. Right now the core of south Windsor—which I would define for the commission as being the area bounded on the east by Dougall Avenue, on the south by Cabana Road, on the west by Huron Church Line Road and Huron Church Road and on the north by the E. C. Row Expressway—is completely within the boundaries of ward 1. It is represented entirely within the boundaries of Windsor West federally. Indeed, it is a community that has very much the natural affinities of a community of interests. Yet the commission is prepared, in effect, to take a quarter of that area, carve it up and put it in the riding immediately to the east, the riding of Windsor-Walkerville.

It seems to me that in doing so the commission has simply arbitrarily chosen to reduce the numbers it found in Windsor-Sandwich. I think it is totally inappropriate that it should do so. A



large number of the residents of the area have indicated their views along those lines as well.

The commission has, to be quite exact, taken census tract 1 from Windsor, the 1981 census, a census tract that runs up the centre of Dominion, south of Dougall Avenue, runs to Grand Marais Road and then runs easterly. It has taken that section of the riding of Windsor-Sandwich, removed it and placed it in the riding of Windsor-Walkerville.

In doing so, the commission has shown absolutely no regard for the fact that church communities—Catholic, non-Catholic and Protestant—and public elementary, separate school and secondary schools will really be torn apart by this arbitrary decision to draw a line up Dominion Avenue.

It seems to me that the commission, rather than choose a census tract, might have looked, as would have been appropriate, to finding some area where the communities of interest would not have been so vitally affected. After all, it is not choosing a census tract, as did the commission in 1981; it is delineating a provincial boundary.

It seems to me that the people of Windsor-Sandwich, the people, indeed, of all of the 130 ridings to be proposed, have the right to expect that a commission, which in many other ways has done a good job, would not, when faced with a bit of a population difficulty, delineate boundaries in a quite arbitrary fashion, using simply a census tract as its term of reference.

There can be no other justification for using Dominion Avenue. It is a fairly minor two-way thoroughfare within the community of south Windsor, which, as I pointed out, has people on both sides and spreading out in both directions who go to the same churches and the same schools, etc. One might just as easily have moved over one or two blocks in either direction, for all the sense Dominion Avenue made for choosing that boundary.

I suggest to the commission that it return that core portion of south Windsor, pull it back together and put that entire area between Cabana on the south, Huron Church on the west, E. C. Rowe Expressway on the north and Dougall on the east back into the riding of Windsor-Sandwich, rather than simply take a portion arbitrarily out of that area and put it in another riding.

I have a suggestion for the commission. I recognize the difficulty the commission has. If the commission feels it still has a problem numerically, I have a suggestion which may seem somewhat arbitrary, but I believe actually

makes greater sense than the one the commission has chosen. My preference would be simply to add that additional amount of population and go with those ridings.

If the commission believes the riding then created is too large and that other ridings may be too small as a result, I suggest something which seems fairly complex on the face of it but is a fairly natural additional boundary situation, namely, in the downtown area the commission subtract from the riding of Windsor-Sandwich the area along Ouellette Avenue north to Wyandotte, moving westward to the centre of Dougall and thence to the international boundary.

I will be spelling this out in more detail in a letter to the commission, but the effect and force of this would be to take the high-rise apartments along that strip—the area that is zoned for high-rise apartments and contains a goodly number of them—and place them back in the riding of Windsor-Walkerville where they are now.

It would have the effect of adding population, if that is the commission's desire, of keeping the high-rise community together in one riding, in Windsor-Walkerville, and of keeping all the apartment community together in the downtown core, which under the Planning Act makes some degree of sense. It has no effect on the ward system in that all those apartments would be retained within the same ward and all those apartments would be retained, either way, within the same riding of Windsor West.

The small downtown area that would be removed to the riding of Windsor-Sandwich would be entirely single-family dwellings. It seems to me that the single-family dwellings having, as they do, children, as opposed to the apartments having virtually no children, would have more of a school affinity than would the high-rise apartments.

If, having made a decision to put the area of south Windsor back into the riding of Windsor-Sandwich, if the commission determines it would make more sense to do that, if the commission determines at that stage it still has a population difficulty in that Windsor-Sandwich is too large and other ridings may be too small, the option I would hold open to the commission would be to add back that small, very narrow, nevertheless fairly high-density strip in terms of population, to the Windsor-Walkerville riding.

By doing that, it seems to be that the community of interests will be returned into the south Windsor area and will, for the most part, be

retained in the downtown area. Those are my suggestions for the commission. I hope they will act on them.

There is no doubt the commission has come a long way from its first proposal, but I suggest to the commission it has a very important way to go to ensure that at the end of this process the core area of south Windsor, which votes together in terms of its municipal, federal and, up until now, provincial politics, and goes to school and church together, will continue to be able to do that and will not be spread into two ridings and move into a riding with which it has very little community of interests, since the riding immediately to the east extends somewhat easterly into the city of Windsor. It seems to me most appropriate to keep that area together.

**Mr. Eves:** I am pleased to have the opportunity to participate in this debate with respect to electoral boundary redistribution and to express the concerns not only of myself but those constituents of mine with respect to the proposals for the riding of Parry Sound. The proposals before us today represent the second attempt to reorganize the province's ridings in a way that recognizes and respects all the considerations, both historical and current, which must be taken into account when establishing riding boundaries.

No one would deny that the process of revising electoral boundaries is a difficult and sometimes thankless task; nor can it be denied that it is a job that must be done if we are to ensure effective representation for all Ontarians as population figures and centres change throughout the years. At the same time, though, population is not and should not be the only consideration in determining these boundaries.

The commission has clearly recognized, as a result of the resolution, that we should also consider such factors as community and diversity of interests, means of communication, varying conditions of representation between urban and rural ridings, special geographic considerations and traditional riding boundaries. In outlining its plans for the riding of Parry Sound, both in the first and second draft proposals, I would submit the commission has somewhat neglected these equally valid considerations, choosing instead to focus almost entirely on the issue of population.

The first proposals outlined by the commission for the riding suggested an amalgamation of the two ridings of Parry Sound and Muskoka into one very large riding. Opposition to this proposal was widespread both in the ridings of Parry Sound and Muskoka as well as among those people in the Nipissing portion of Parry Sound riding, who

would have become instead a part of Nipissing riding. More objections were received to the Parry Sound proposal than to any other proposed riding in the entire province. I believe more than 48 alone came from the riding of Parry Sound.

Most of these objections centred on the issues of lack of community interests, concerns over the effect of a very large summer population and an MPP's ability to serve the constituents of this proposed large riding, the immense geographic size of the proposed riding and the northern status of Parry Sound riding, which most government ministries recognize. The strength of the arguments raised against this proposal is evidenced by the fact that the commission in its second redistribution report completely revised its plans for the Parry Sound riding and, in so doing, accepted many of the objections put forward at commission hearings.

With this in mind, it was with considerable surprise that both my constituents and myself received a second proposal for the Parry Sound riding. It seems obvious that, in revising the initial ideas and creating a new riding called Parry Sound-Nipissing-Renfrew, the commission has duplicated many of the failings of the Muskoka-Parry Sound proposal.

The new riding of Parry Sound-Nipissing-Renfrew would incorporate the existing electoral district of Parry Sound plus four northerly Renfrew county municipalities, the town of Deep River, the village of Chalk River and the townships of Head, Clara and Maria, along with Rolph, Buchanan, Wylie and McKay.

In this proposed realignment, the commission suggested these municipalities would share a near-north community of interest with the rest of the electoral district. Frankly, I find it very difficult to believe the citizens of Deep River share the commission's view that they have a near-north orientation. In making this assumption, the commission did not look closely enough at the geographic realities of this region that make the idea of a community of interest tenuous at best.

Both the Ottawa River valley and Algonquin Park serve to separate and distinguish municipalities in the county of Renfrew from municipalities and districts of both Parry Sound and Nipissing. It goes without saying that the communities located along the Ottawa River have and probably always will have an eastern Ontario orientation, distinct from northern, which has characterized the riding of Parry Sound since its creation 100 years ago.

Should the proposal go forward, the riding of Parry Sound, it could be argued, would be the



only riding in Ontario that would represent northern, eastern and central Ontario. This represents a substantial digression from the principle of community of interest that was to be one of the commission's foremost objectives.

In many other respects, the new proposal falls short of the guidelines offered in the resolution establishing the commission. As was the case in the commission's first proposal, for example, the idea of Parry Sound-Nipissing-Renfrew riding failed to take into account the enormous problems associated with providing effective representation to such a large geographical area. In fact, a round trip from the town of Parry Sound to the town of Deep River is an eight-hour undertaking. It goes without saying that this travel time alone would render effective representation by one MPP very difficult, if not virtually impossible.

The situation is further complicated by lack of effective road links between the two sides of the proposed riding, a fact which also argues against these two areas sharing a community of interests. I have discussed this matter with my colleague, the member for Renfrew North and Minister of Education (Mr. Conway), who is in total agreement that it is going to be very difficult for any one MPP effectively to represent the proposed riding. I have also discussed the matter with many persons in the town of Deep River and a few in the village of Chalk River, all of whom seem to agree there is no community of interests whatsoever in the proposed two sides of the new riding.

Adding to this is the fact that the current riding of Parry Sound already has 35 organized municipalities, more than any other riding in the entire province of Ontario and four times as many as the average of all ridings outside Metropolitan Toronto. The riding as it now stands also has some 47 unorganized municipalities, each and every one of which has its own interests, issues and concerns, which must be addressed by its representatives. To add to this number surely would not provide effective representation for people in the proposed constituency.

Along with neglecting the most obvious difficulties in representing so many organized and unorganized municipalities, the commission has again chosen to set aside the equally significant problems of representation posed by an increase in population in the Parry Sound

riding during the summer months.

I think it is somewhat naïve to expect that summer residents of a community never bother their local member with a request or concern. In the summer, the population of Parry Sound riding as it now exists increases by some 50,000 people. It is equally unrealistic to expect any MPP would turn away his or her summer residents because they had homes elsewhere in the province.

There are many other issues I could raise in discussing the the second proposal of the electoral boundaries commission for Parry Sound riding: the problems of common means of communication; the lack of a common local newspaper; the issue of reducing the number of rural ridings by amalgamating two, namely, Parry Sound and Renfrew North; the 100 years of history which stand behind the current boundaries of Parry Sound riding. All of these factors must be weighed in examining the commission's second proposal.

Indeed, most of them were examined to judge the commission's first proposal and form the basis of its decision to revise its plan. Strangely enough, most of the issues arising from the first proposal have not been laid to rest by the second attempt at redrawing Parry Sound's boundaries. Instead, what we have before us is a totally new approach that still manages to duplicate the problems of the first one.

If the commission applies the same criteria to this proposal as it did in revising the first suggestions, I believe it will see that the riding of Parry Sound-Nipissing-Renfrew is no more a workable solution than was the Muskoka-Parry Sound proposal. Almost the same problems are created and the same objections can be made. In both cases, it is the people of this region who will suffer the consequences.

As I have said before, the ultimate purpose of electoral-boundary redistribution surely is to ensure effective representation for the people of Ontario. This objective will not be met for the people of Parry Sound, Nipissing or Renfrew by the proposal which we have now before us for these regions.

On motion by Mr. Eves, the debate was adjourned.

The House adjourned at 6 p.m.

## ERRATUM

No.	Page	Column	Line	Should read:
18	670	2	56	(Mr. Sterling), are without context.

## APPENDIX

## ALPHABETICAL LIST OF MEMBERS\*

(124 members)

First Session, 33rd Parliament

**Lieutenant Governor: Hon. L. M. Alexander, PC, QC****Speaker: Hon. H. A. Edighoffer****Clerk of the House: R. G. Lewis, QC**

Allen, R. (Hamilton West NDP)  
 Andrewes, P. W. (Lincoln PC)  
 Ashe, G. L. (Durham West PC)  
 Baetz, R. C. (Ottawa West PC)  
 Barlow, W. W. (Cambridge PC)  
 Bennett, C. F. (Ottawa South PC)  
 Bernier, L. (Kenora PC)  
 Bossy, M. L. (Chatham-Kent L)  
**Bradley, Hon. J. J.**, Minister of the Environment (St. Catharines L)  
 Brandt, A. S. (Sarnia PC)  
 Breaugh, M. J. (Oshawa NDP)  
 Bryden, M. H. (Beaches-Woodbine NDP)  
 Callahan, R. V. (Brampton L)  
**Caplan, Hon. E.**, Chairman of the Management Board of Cabinet and Minister of Government Services (Orillia L)  
 Charlton, B. A. (Hamilton Mountain NDP)  
**Conway, Hon. S. G.**, Minister of Education (Renfrew North L)  
 Cooke, D. R. (Kitchener L)  
 Cooke, D. S. (Windsor-Riverside NDP)  
 Cordiano, J. (Downsview L)  
 Cousens, W. D. (York Centre PC)  
 Cureatz, S. L. (Durham East PC)  
**Curling, Hon. A.**, Minister of Housing (Scarborough North L)  
 Davis, W. C. (Scarborough Centre PC)  
 Dean, G. H. (Wentworth PC)  
**Eakins, Hon. J. F.**, Minister of Tourism and Recreation (Victoria-Haliburton L)  
**Edighoffer, Hon. H. A.**, Speaker (Perth L)  
**Elston, Hon. M. J.**, Minister of Health (Huron-Bruce L)  
 Epp, H. A. (Waterloo North L)  
 Eves, E. L. (Parry Sound PC)  
 Ferraro, R. E. (Wellington South L)  
 Fish, S. A. (St. George PC)  
**Fontaine, Hon. R.**, Minister of Northern Affairs and Mines (Cochrane North L)  
 Foulds, J. F. (Port Arthur NDP)  
**Fulton, Hon. E.**, Minister of Transportation and Communications (Scarborough East L)  
 Gigantes, E. (Ottawa Centre NDP)  
 Gillies, P. A. (Brantford PC)

Gordon, J. K. (Sudbury PC)  
 Grande, T. (Oakwood NDP)  
**Grandmaitre, Hon. B. C.**, Minister of Municipal Affairs (Ottawa East L)  
 Gregory, M. E. C. (Mississauga East PC)  
 Grier, R. A. (Lakeshore NDP)  
 Grossman, L. S. (St. Andrew-St. Patrick PC)  
 Guindon, L. B. (Cornwall PC)  
 Haggerty, R. (Erie L)  
 Harris, M. D. (Nipissing PC)  
 Hayes, P. (Essex North NDP)  
 Henderson, D. J. (Humber L)  
 Hennessy, M. (Fort William PC)  
 Jackson, C. (Burlington South PC)  
 Johnson, J. M. (Wellington-Dufferin-Peel PC)  
 Johnston, R. F. (Scarborough West NDP)  
**Kerrio, Hon. V. G.**, Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
**Keyes, Hon. K. A.**, Solicitor General and Minister of Correctional Services (Kingston and the Islands L)  
 Knight, D. S. (Halton-Burlington L)  
**Kwinter, Hon. M.**, Minister of Consumer and Commercial Relations (Wilson Heights L)  
 Lane, J. G. (Algoma-Manitoulin PC)  
 Laughren, F. (Nickel Belt NDP)  
 Leluk, N. G. (York West PC)  
 Lupusella, A. (Dovercourt NDP)  
 Mackenzie, R. W. (Hamilton East NDP)  
 Mancini, R. (Essex South L)  
 Marland, M. (Mississauga South PC)  
 Martel, E. W. (Sudbury East NDP)  
 McCaffrey, R. B. (Armourdale PC)  
 McCague, G. R. (Dufferin-Simcoe PC)  
 McClellan, R. A. (Bellwoods NDP)  
 McFadden, D. J. (Eglinton PC)  
 McGuigan, J. F. (Kent-Elgin L)  
 McKessock, R. (Grey L)  
 McLean, A. K. (Simcoe East PC)  
 McNeil, R. K. (Elgin PC)  
 Miller, F. S. (Muskoka PC)  
 Miller, G. I. (Haldimand-Norfolk L)  
 Mitchell, R. C. (Carleton PC)  
 Morin, G. E., Deputy Chairman of Committee of the Whole House (Carleton East L)



Morin-Strom, K. (Sault Ste. Marie NDP)

**Munro, Hon. L. O.**, Minister of Citizenship and Culture (Hamilton Centre L)

Newman, B. (Windsor-Walkerville L)

**Nixon, Hon. R. F.**, Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)

O'Connor, T. P. (Oakville PC)

Offer, S. (Mississauga North L)

**O'Neil, Hon. H. P.**, Minister of Industry, Trade and Technology (Quinte L)

Partington, P. (Brock PC)

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Philip, E. T. (Etobicoke NDP)

Pierce, F. J. (Rainy River PC)

Poirier, J. (Prescott-Russell L)

Pollock, J. (Hastings-Peterborough PC)

Polsinelli, C. (Yorkview L)

Pope, A. W. (Cochrane South PC)

Pouliot, G. (Lake Nipigon NDP)

Rae, R. K. (York South NDP)

Ramsay, D. (Timiskaming NDP)

Reville, D. (Riverdale NDP)

Reycraft, D. R. (Middlesex L)

**Riddell, Hon. J. K.**, Minister of Agriculture and Food (Huron-Middlesex L)

Rowe, W. E. (Simcoe Centre PC)

Runciman, R. W. (Leeds PC)

**Ruprecht, Hon. T.**, Minister without Portfolio (Parkdale L)

Sargent, E. C. (Grey-Bruce L)

**Scott, Hon. I. G.**, Attorney General (St. David L)

Sheppard, H. N. (Northumberland PC)

Shymko, Y. R. (High Park-Swansea PC)

Smith, D. W. (Lambton L)

Smith, E. J. (London South L)

**Sorbara, Hon. G. S.**, Minister of Colleges and Universities and Minister of Skills Development (York North L)

South, L. (Frontenac-Addington L)

Stephenson, B. M. (York Mills PC)

Sterling, N. W. (Carleton-Grenville PC)

Stevenson, K. R. (Durham-York PC)

Swart, M. L. (Welland-Thorold NDP)

**Sweeney, Hon. J.**, Minister of Community and Social Services (Kitchener-Wilmot L)

Taylor, J. A. (Prince Edward-Lennox PC)

Timbrell, D. R. (Don Mills PC)

Treleaven, R. L., Deputy Speaker and Chairman of Committee of the Whole House (Oxford PC)

Turner, J. M. (Peterborough PC)

**Van Horne, Hon. R. G.**, Minister without Portfolio (London North L)

Villeneuve, N. (Stormont, Dundas and Glengarry PC)

Ward, C. C. (Wentworth North L)

Warner, D. W. (Scarborough-Ellesmere NDP)

Wildman, B. (Algoma NDP)

Wiseman, D. J. (Lanark PC)

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Yakabuski, P. J. (Renfrew South PC)

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Bradley, Hon. J. J., Minister of the Environment

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Fontaine, Hon. R., Minister of Northern Affairs and Mines

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Grandmaitre, Hon. B. C., Minister of Municipal Affairs

Curling, Hon. A., Minister of Housing

Fulton, Hon. E., Minister of Transportation and Communication

Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services

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Ruprecht, Hon. T., Minister without Portfolio

### PARLIAMENTARY ASSISTANTS

Cordiano, J., assistant to the Minister of Colleges and Universities (Downsview L)

Epp, H. A., assistant to the Treasurer (Waterloo North L)

Ferraro, R. E., assistant to the Minister of Industry, Trade and Technology (Wellington South L)

Haggerty, R., assistant to the Minister of Government Services (Erie L)

Henderson, D. J., assistant to the Minister of Community and Social Services (Humber L)

Mancini, R., assistant to the Premier (Essex South L)

McGuigan, J. F., assistant to the Minister of Natural Resources and the Minister of Energy (Kent-Elgin L)

McKessock, R., assistant to the Solicitor General and Minister of Correctional Services (Grey L)

Miller, Mr. G. I., assistant to the Minister of Agriculture and Food (Haldimand-Norfolk L)

Offer, S., assistant to the Minister of Consumer and Commercial Relations (Mississauga North L)

Poirier, J., assistant to the Minister of the Environment (Prescott-Russell L)

Polsinelli, C., assistant to the Minister of Labour (Yorkview L)

Reycraft, D. R., assistant to the Minister of Education (Middlesex L)

Sargent, E. C., assistant to the Minister of Tourism and Recreation (Grey-Bruce L)

Ward, C. C., assistant to the Minister of Health (Wentworth North L)

### STANDING COMMITTEES

Administration of justice: chairman, Mr. Brandt; vice-chairman, Ms. Fish; members, Messrs. Callahan, D. R. Cooke, Ms. Gigantes, Messrs. Gregory, Knight, O'Connor, Partington, Polsinelli, Reville; clerk, F. Carrozza.

General government: chairman, Mr. McCague; vice-chairman, Mr. Dean; members, Messrs. Epp, Hennessy, McKessock, Poirier, Pouliot, Swart, Villeneuve, Ward and Wiseman; clerk, T. Decker.

Members' services: chairman, Mr. J. M. Johnson; vice-chairman, Mr. Lane; members, Messrs. Laughren, Mackenzie, McKessock, G. I. Miller, Mitchell, Polsinelli and Rowe; clerk, D. Deller.

Ombudsman: chairman, Mr. McNeil; vice-chairman, Sheppard; members, Messrs. Baetz, Bossy, Hayes, Henderson, Morin, Newman, Philip, Pierce, and Shymko; clerk, T. Decker.

Procedural affairs and agencies, boards and commissions: chairman, Mr. Breaugh; vice-chairman, Mr. Mancini; members, Mr. Bossy, Mrs. Marland, Messrs. McCaffrey, McClellan, Morin, Newman, Sterling, Treleaven and Warner; clerk, S. Forsyth; assistant clerk, T. Decker.

Public accounts: chairman, Mr. Eves; vice-chairman, Mr. Runciman; members, Messrs. Cordiano, Epp, Gillies, Harris, Leluk, Philip, Polsinelli, D. W. Smith and Wildman; clerk, F. Carrozza.

Regulations and private bills: chairman, Mr. Callahan; vice-chairman, Mr. Offer; members, Mr. Bossy, Ms. Bryden, Messrs. Cousens, Grande, McKessock, G. I. Miller, Pollock, Turner and Yakabuski; clerk, D. Deller.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Ramsay; members, Messrs. Barlow, Bernier, Ferraro, Martel, G. I. Miller, Sargent, South and Stevenson; clerk, D. Arnott.

Social development: chairman, Mr. R. F. Johnston; vice-chairman, Mr. Allen; members, Messrs. D. S. Cooke, Davis, Guindon, Henderson, Jackson, Offer, Reycraft, D. W. Smith and Timbrell; clerk, L. Mellor.

### SELECT COMMITTEES

Economic Affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. McGuigan; members, Messrs. Bennett, Cordiano, Ferraro, Knight, Mackenzie, McFadden, Morin-Strom, Miss Stephenson and Mr. Taylor; clerk, D. Arnott.

Energy: chairman, Mr. Andrewes; members, Messrs. Ashe, Charlton, Cureatz, Gordon, Mrs. Grier, Messrs. Haggerty, McGuigan, McLean, Sargent and Ward; clerk, F. Carrozza.

Environment: chairman, Mr. Knight; members, Mr. Brandt, Ms. Fish, Messrs. Gillies, Haggerty, Poirier, Sargent, Shymko and South.

Health: chairman, Mr. Callahan; members, Messrs. Henderson, Mancini, Partington, Pierce, Pope, Reycraft and Ward.

\*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.



## CONTENTS

Tuesday, October 15, 1985

## Statements by the ministry

Curling, Hon. A., Minister of Housing:	
<b>Radioactive soil</b> .....	786
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Polls</b> .....	785
<b>Budget date</b> .....	786
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Lieutenant Governor</b> , Mr. F. S. Miller, Mr. Rae .....	784
<b>New provincial leaders</b> , Mr. F. S. Miller, Mr. Rae .....	784

## Oral questions

Conway, Hon. S. G., Minister of Education:	
<b>Teachers' labour dispute</b> , Mr. Ferraro, Mr. J. M. Johnson .....	795
Curling, Hon. A., Minister of Housing:	
<b>Rental accommodation</b> , Mr. Timbrell, Mr. McClellan .....	792
<b>Appointment of executive assistant</b> , Mrs. Marland .....	794
Elston, Hon. M. J., Minister of Health:	
<b>Extra billing</b> , Mr. Rae, Mr. Grossman, Mr. D. S. Cooke .....	790
<b>Nursing home inspections</b> , Mr. D. S. Cooke .....	793
Fontaine, Hon. R., Minister of Northern Affairs and Mines:	
<b>Nordev program</b> , Mr. Bernier, Mr. Pierce, Mr. Wildman .....	795
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Moose tag lottery</b> , Mr. Wildman, Mr. Harris .....	796
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Access to ministers</b> , Mr. F. S. Miller, Mr. Rae .....	786
<b>Government's commitments</b> , Mr. F. S. Miller .....	788
Scott, Hon. I. G., Attorney General:	
<b>Equal pay for work of equal value</b> , Mr. Rae, Mr. Timbrell, Ms. Gigantes .....	789
<b>Indian land agreement</b> , Mr. Pouliot, Mr. Sterling .....	794

## Petitions

<b>Roman Catholic secondary schools</b> , Mr. Treleven, Mr. Laughren, M. Morin .....	797
--	-----

## Reports

<b>Standing committee on procedural affairs and agencies, boards and commissions</b> , Mr. Breagh, adjourned .....	797
--	-----

## Motions

<b>House sittings</b> , Mr. Nixon, agreed to .....	798
<b>Private members' public business</b> , Mr. Nixon, agreed to .....	798
<b>Committee sittings</b> , Mr. Nixon, agreed to .....	798
<b>Committee schedule</b> , Mr. Nixon, agreed to .....	798

**First readings**

<b>404 K-W Wing Royal Canadian Air Force Association Act</b> , Bill Pr22, Mr. Barlow, agreed to .....	798
<b>City of Brampton Act</b> , Bill Pr25, Mr. Callahan, agreed to .....	799
<b>Belleville General Hospital Act</b> , Bill Pr19, Mr. Pollock, agreed to .....	799
<b>City of North York Act</b> , Bill Pr15, Mr. McCaffrey, agreed to .....	799
<b>Balfour Beach Association Act</b> , Bill Pr30, Mr. McCaffrey, agreed to .....	799
<b>City of Hamilton Act</b> , Bill Pr41, Mr. Charlton, agreed to .....	799

**Government motion**

<b>Electoral districts redistribution</b> , resolution 4, Mr. Elston, Mr. Mitchell, Mr. Sargent, Mr. Shymko, Mr. Hayes, Mr. Pollock, Mr. D. S. Cooke, Mr. Henderson, Mr. Cousens, Mrs. Grier, Ms. Munro, Mr. Stevenson, Mr. Philip, Mr. Wrye, Mr. Eves, adjourned .	799
---	-----

**Other business**

<b>Resignation of member</b> , Mr. Speaker .....	783
<b>Legislative pages</b> , Mr. Speaker .....	783
<b>Blue Jays</b> , Mr. F. S. Miller, Mr. Rae .....	783
<b>Presentations</b> , Mr. McKessock .....	784
<b>Simultaneous translation</b> , Mr. Pouliot .....	786
<b>House sittings</b> , Mr. Nixon .....	798
<b>Adjournment</b> .....	819
<b>Erratum</b> .....	819

**Appendix**

Alphabetical lists of members of the Legislative Assembly of Ontario, members of the executive council, parliamentary assistants and members of committees .....	820
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**SPEAKERS IN THIS ISSUE**

Barlow, W. W. (Cambridge PC)  
 Bernier, L. (Kenora PC)  
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
 Brandt, A. S. (Sarnia PC)  
 Breaugh, M. J. (Oshawa NDP)  
 Conway, Hon. S. G., Minister of Education (Renfrew North L)  
 Cooke, D. S. (Windsor-Riverside NDP)  
 Cousens, W. D. (York Centre PC)  
 Curling, Hon. A., Minister of Housing (Scarborough North L)  
 Edighoffer, Hon. H. A., Speaker (Perth L)  
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
 Eves, E. L. (Parry Sound PC)  
 Ferraro, R. E. (Wellington South L)  
 Fontaine, Hon. R., Minister of Northern Affairs and Mines (Cochrane North L)  
 Gigantes, E. (Ottawa Centre NDP)  
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
 Grier, R. A. (Lakeshore NDP)  
 Grossman, L. S. (St. Andrew-St. Patrick PC)  
 Haggerty, R. (Erie L)  
 Harris, M. D. (Nipissing PC)  
 Hayes, P. (Essex North NDP)  
 Henderson, D. J. (Humber L)  
 Johnson, J. M. (Wellington-Dufferin-Peel PC)  
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
 Laughren, F. (Nickel Belt NDP)  
 Marland, M. (Mississauga South PC)  
 McClellan, R. A. (Bellwoods NDP)  
 McKessock, R. (Grey L)  
 Miller, F. S. (Muskoka PC)  
 Mitchell, R. C. (Carleton PC)  
 Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
 Morin-Strom, K. (Sault Ste. Marie NDP)  
 Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)  
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)  
 Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)  
 Philip, E. T. (Etobicoke NDP)  
 Pierce, F. J. (Rainy River PC)  
 Pollock, J. (Hastings-Peterborough PC)  
 Pouliot, G. (Lake Nipigon NDP)  
 Rae, R. K. (York South NDP)  
 Sargent, E. C. (Grey-Bruce L)  
 Scott, Hon. I. G., Attorney General (St. David L)  
 Shymko, Y. R. (High Park-Swansea PC)  
 Sterling, N. W. (Carleton-Grenville PC)  
 Stevenson, K. R. (Durham-York PC)  
 Timbrell, D. R. (Don Mills PC)  
 Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
 Turner, J. M. (Peterborough PC)  
 Wildman, B. (Algoma NDP)  
 Wrye, W. M. (Windsor-Sandwich L)













No. 23

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Thursday, October 17, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 17, 1985

The House met at 2 p.m.

Prayers.

## BLUE JAYS

**Mr. Brandt:** Mr. Speaker, on a point of privilege: Although the outcome of last night's ball game was not favourable to our favourite club, the Toronto Blue Jays have just completed the most successful season in the history of the franchise and, indeed, in the history of baseball in Canada. This House is truly proud of their performance. They are deserving of the recognition of the House and of all Canadians for the outstanding performance they carried out not only during the season, when they won more ball games than any other club in the major leagues, but also in the playoffs.

It is my understanding that the Premier (Mr. Peterson) has quite appropriately used the success of the Blue Jays to promote more awareness of Ontario in the United States. I believe that is commendable. There should also be some effort to promote more awareness of the Premier, since I understand that in his speaking engagement coming up in Washington, the invitations read that those who are invited are to come to hear "Premier Anderson" speak. I think that point should be cleared up.

In any event, although the Blue Jays will not be taking a trip to the World Series this year, we are proud of the team, the management of the ball club and the true spirit of Canadian sportsmanship they exhibited during the course of a most magnificent season.

**Mr. Speaker:** I do not know whether that is a point of personal privilege. Having been in Saskatchewan a few days ago at the Commonwealth Parliamentary Association conference, I realize the Blue Jays certainly are known throughout Canada and probably did something to bring Canadians together. I have allowed the member to make a very brief comment. I notice two other members of the House on their feet; I will acknowledge them very briefly.

**Hon. Mr. Peterson:** Mr. Speaker, in response to the point of view of the honourable leader for the day of the party opposite, let me join with him in expressing our great pride in the Blue Jays. They have provided many magic moments for

people of this city, this province and indeed this country over the last little while.

Even though it did not work out the way we would have chosen last night, everyone in this province is immensely proud of that ball team, which has come such a long way from that snowy day in 1977. There is no doubt in our minds they will be back next year with a vengeance and we will look forward with the same anticipation to success next year.

I also appreciate the remarks of the member about my problem with respect to recognition in Washington. It is true, but I remind him that two months ago I was not even known in this province. Obviously, he read the article in this morning's press and was worried that we were not being treated appropriately in Washington when invited to speak to the newsmakers' breakfast.

I can assure him that a number of very distinguished people have had the same invitation opportunity; I read that the president of the wholesale shoe manufacturers, textile importers and a number of other distinguished people had received invitations. I am proud to join their company and the company of William Grenville Davis, who did the same thing.

In sadness, I must now honour the wager I had with the Governor of Missouri, who was here for one of the games. I bet him that, should we lose, I would be prepared to sing Everything's Up to Date in Kansas City in a public place somewhere in this province. I am not an accomplished musician and I may invite the help of my worthy friend opposite who could contribute a great deal in that regard.

It is my intention to honour my commitment to the governor tomorrow. I offered to send him a tape of what I was doing, but he is a Republican and does not trust tapes. The American ambassador, therefore, will be there on his behalf to make sure I perform, not only in spirit but in law, the wager we engaged in last week. Mr. Speaker, on your behalf and on behalf of all my colleagues in the House, I am about to embarrass myself but maintain the honour of Ontario.

**Mr. Speaker:** I hope that singing will not take place between 10 a.m. and 1 p.m. tomorrow.

**Mr. Rae:** I was afraid he was going to do it today. Can we get a piano in here, Mr. Speaker? I do not know whether the rules allow for that.

First of all, I want to say I cannot imagine a conversion more astounding, except perhaps the one that took place on the road to Damascus, than the one we have witnessed here from the member for Sarnia (Mr. Brandt). I want to congratulate him, without mentioning his past in any way whatsoever, for suddenly expounding on the quality of the Toronto Blue Jays. This conversion on Highway 401 is a historic occasion.

I welcome all Detroit Tigers fans, such as the member for Sarnia, who is an inveterate Tigers fan, to this new love affair he now has with the Toronto Blue Jays. Welcome to the club. I hope we do not lose the member again next year. I have a sneaking feeling that on the opening day of next year he may be as fickle in his love for baseball teams as he is in his political loyalty, which I understand has been transferred very recently. I hesitate to bring that up; nevertheless, fair is fair.

On behalf of the New Democratic Party and on my own behalf, I have already written to Mr. Cox to say we really do admire what the Blue Jays have accomplished. I was in the stands last night and there was a great sense of collective dismay and disappointment at what happened during the game. But we cannot win them all. I am an expert in that regard, speaking on behalf of my party. I have no hesitation in saying that the Blue Jays have done an enormous amount for the enjoyment and entertainment of the people of this province and the people of Canada.

They have proved themselves to be a marvelous team. We all shared in the sense that was going through the stands yesterday, which was, "You ain't seen nothin' yet; wait till 1986." I speak as a New Democrat in saying the same thing, "Wait till 1986." We are looking forward to the 1986 season in baseball; we look forward to being there.

We also wish the Premier well at whatever breakfast he may be having in Washington, or wherever it happens to be. I am sure he will overcome whatever recognition problems he may have had.

[Later]

**Mr. Stevenson:** On a point of privilege, Mr. Speaker: When the Premier was speaking of the Blue Jays, he stated everyone in Ontario would be pleased with their performance last night. I would like to inform him—and I know the hog producers of the province will be very pleased to know this, after the kicking they have been

taking as a result of countervail action by Midwest producers over the last several months—our current Minister of Agriculture and Food (Mr. Riddell) was seen wearing a Kansas City hat throughout the game last night.

**Mr. Speaker:** I think the points of privilege are getting somewhat out of hand.

**Mr. G. I. Miller:** On a point of privilege, Mr. Speaker: I want to bring to the attention of the House that the minister has a bit of hair on top. It was a cold, windy night and he wanted a hat for protection. They had only Blue Jays hats with sieves in them and he had to put on something solid. That is why he had to wear the Kansas City hat.

2:10 p.m.

#### DEATH OF ROBERT M. JOHNSTON

**Hon Mr. Bradley:** On a point of privilege, Mr. Speaker: I wish to draw to the attention of the House the passing of a former member of the Ontario Legislature, Mr. Robert M. Johnston, who was affectionately known as Bob Johnston to many of the members who have been around this House for a long time. He passed away yesterday at the age of 69.

As some people will know, Bob began his political career when he was 22 years old in what was then the village of Port Dalhousie, now a ward in the city of St. Catharines. Bob went on from there to be the reeve of Port Dalhousie and subsequently represented Port Dalhousie ward on the St. Catharines city council. In 1964 he became the mayor of the city of St. Catharines. In 1967 he was elected as the Progressive Conservative member for the newly carved-out riding, the provincial constituency of St. Catharines. He was re-elected in 1971 and again in 1975.

Mr. Johnston was probably best known as an excellent constituency person, a very popular individual in our community of St. Catharines. His colleagues who are still in the House would also remember him as a very independent-minded fellow who did not care much for procedures or protocol but who was interested in getting things done and did not mind bucking the trends or his own party when called for.

I should also note I attended a nomination convention—I hate to admit I was a naïve student at the time—when Robert Welch was contesting the nomination in 1963 with Mr. Johnston. Mr. Welch won on that occasion. That was my introduction to Bob Johnston and his attempts in the political field at the provincial level.

On two occasions, Mr. Johnston defeated me in my attempt to become a member of the Ontario



Legislature. He was a formidable opponent at all times but a good friend of everyone. People on all sides of the House who knew Bob would agree with me that his passing is sad for all of us. He will be missed in St. Catharines, but he will be remembered fondly by his friends in this House and in our community.

**Mr. F. S. Miller:** I would like to add my own words to those of the member for St. Catharines (Mr. Bradley) because I was fortunate enough to have served with Mr. Johnston in this House, as a member of his party and caucus.

I arrived here in 1971 and by that time he was a seasoned veteran of this parliament. He was always a hard-working, loyal, friendly member of our caucus. He stood up for the people who voted for him. He worked hard on their behalf in his quiet, effective way, and those of us who knew him here as a warm and friendly member of our caucus keep that memory and treasure his contribution to our province.

**Mr. Foulds:** If I could add, on behalf of our caucus, when the member for Muskoka (Mr. F. S. Miller) and I were first new boys in the Legislature in 1971, Bob Johnston was the kind of guy who made you feel at home and welcome, not only in the Legislature but also when one travelled to his constituency in St. Catharines. We will remember him with fondness and we pay tribute to him and send our sympathies to his family.

**Mr. Partington:** As the member for Brock, the area where Bob Johnston spent all his life, I also want to express my sympathy over his passing. I had the opportunity to be president of the riding association of St. Catharines for the Progressive Conservative Party when Mr. Johnston served as a member. He was known as an unbeatable politician, as the Minister of the Environment has indicted.

He served from a very young age. He was reeve of Port Dalhousie and mayor of St. Catharines. He was an unbeatable politician and I think the current member had to wait until he decided to step aside.

He gained that popularity by being a friend of everyone. The Johnston family was a solid family in the community and there was no length to which he would not go to help somebody with a problem. That speaks for his popularity.

#### MEMBER'S MARRIAGE

**Hon. Mr. Nixon:** Mr. Speaker, I know you would not want this occasion to pass without the House being informed of the change in status of

the dean of the House, the member for Elgin (Mr. McNeil).

Having been elected many years ago and having had the tremendous responsibilities and onerous duties of supporting the former government, he had remained a bachelor. However, within weeks of being released to the responsibilities of opposition, he married. All of us in this House and his many friends everywhere wish him and his new wife the very best.

#### STATEMENTS BY THE MINISTRY

##### UNIVERSITY EXCELLENCE FUND

**Hon. Mr. Sorbara:** I want to begin these remarks by informing the House that next week is National Universities Week. This event represents an important recognition of the vital role of the universities in this country's intellectual, social, cultural and economic development.

**Mr. Warner:** You had better start funding them properly.

**Hon. Mr. Sorbara:** That is what we are going to do.

As my honourable colleagues know, this government is committed to improving post-secondary education in Ontario. As part of that commitment, we will pursue excellence in our universities by bringing about their revitalization. This government wants our universities to have the capacity to contribute to the quality and texture of life in this province.

Therefore, I am pleased to inform the House of a major initiative of this government in taking steps to fulfil that commitment. This government is establishing a university excellence fund that will provide an extra \$50 million in special grants to the universities and related institutions in 1986-87. This amount is in addition to the basic increase in operating and capital funds that will be announced by the Treasurer (Mr. Nixon) in his forthcoming budget statement.

The university excellence fund will provide for the enhancement of quality in both teaching and research and will involve three major components. The first is faculty renewal, the second is research leadership, and the third is library enhancement and instructional equipment. I would like to take this opportunity to describe for the members each component of this fund.

First, there is faculty renewal. Excellence in both teaching and research is largely dependent on the human resources within our institutions. As a consequence of the current abnormal age distribution of faculty, there will be a limited number of new openings for the existing

generation of young scholars and teachers in the next 10 years. However, a consistent flow of talented new faculty into the system is required to enhance the instructional quality and adaptability of our institutions and to ensure they are continually undergoing renewal.

This component of the fund permits the taking of a vitally important first step in a program of faculty renewal in our institutions. This government has allocated \$10 million to the program in 1986-87. The introduction of new faculty should improve the percentage of women, while at the same time increasing the opportunities for young Canadian scholars. This program will build on desired centres of strength and excellence within our institutions. It will be structured to meet the unique circumstances and needs of each institution.

**2:20 p.m.**

The second component is research leadership. As well as enhancing the quality of teaching, university research represents an investment in the social and economic development of this province. Research conducted in our universities is a major source of innovation and is increasingly important for the province's economic transformation and growth.

While applied research represents a medium-term investment in the province's future, basic university research represents a longer-term investment. Basic university research in, for example, mathematics, physics, biology and biochemistry has been an essential building block for subsequent applied research and development. We must continue to ensure our universities have the capacity to explore the frontiers of knowledge.

To enhance the research resources of our universities, the government will allocate \$15 million towards the costs of special items of research equipment, specialized experimental facilities and highly skilled technical and professional research support staff. This program is expected to strengthen areas of research specialization within the universities and expand their capacities to conduct resource-intensive research.

Finally, I would like to say a few words about the third component, library enhancement and instructional equipment. The consequence of university underfunding during the last decade is particularly evident in the inability of our universities to maintain their library collections and acquire state-of-the-art instructional equipment. This situation has damaged the quality of

educational experience for our university students.

Accordingly, this component of the university excellence fund will provide \$25 million in 1986-87 to assist the institutions to expand and strengthen their library collections and will assist in the purchase of state-of-the-art scientific, laboratory, computing, library and other instructional equipment.

I would also like to take this opportunity to inform the members of the House that I will be asking the Ontario Council on University Affairs to advise me on certain aspects of the university excellence fund. Needless to say, the institutions themselves will be kept apprised of all developments with respect to this consultation.

Ontario's universities are a vital resource to current and future generations, but they have suffered deterioration as a result of a decade of chronic underfunding. The initiatives I have announced today represent our initial investment in the restoration of the health of our institutions. These initiatives are supplementary, of course, to the regular operating and capital grants that will be announced by the Treasurer (Mr. Nixon) in his budget.

This government is committed to developing the full potential of our universities and making the university community an environment for individual and institutional growth and excellence. I am confident we are working towards a network of institutions united in a commitment to quality, vitality and excellence.

#### NORTHERN HEALTH SERVICES

**Hon. Mr. Elston:** My first statement is with respect to northern health care services.

As Minister of Health, I believe one of the immediate issues to which our government must respond is the need to improve health care services for the residents of northern Ontario. This is an issue on which a number of promises were made by the previous government during the last several years. It is one upon which this government intends to take action.

I will, therefore, be introducing a program by the end of next month that will provide subsidies to northern residents who must travel significant distances for necessary medical care.

[Applause]

**Mr. McClellan:** What a good idea.

**Mr. Rae:** Brilliant idea.

**Mr. Speaker:** Order. The minister will continue.

**Mr. Martel:** The minister might like to say where the idea came from.



**Hon. Mr. Bradley:** Ron Van Horne.

**Mr. Rae:** A little credit where credit is due.

**Hon. Mr. Elston:** I would not mind acknowledging to a very large degree the great amount of assistance all members of the Legislative Assembly have given in directing us towards this program. There have been a number of promises in past years, but I have taken the initiative, as there is a need for new directions by this government. I am preparing to fulfil the requirements of the people of northern Ontario with the assistance of my colleagues. I acknowledge that fully in every way possible.

This government also plans to proceed with several other initiatives designed to improve and expand health care services in northern Ontario. To foster greater medical self-sufficiency in the north, we will be proceeding on two fronts. First, we will develop a recruitment program to encourage more medical specialists to locate in the north during the next several years. Second, we will provide incentives to enable these medical specialists to travel from the major northern centres to patients in smaller communities.

In order to move ahead quickly with the initiatives, I am announcing today that my ministry will begin a series of consultations with hospital administrators, medical staff and local medical societies in five northern centres. The consultations will begin in Thunder Bay on October 21. They will continue in Sudbury and Sault Ste. Marie on October 28 and 29, and conclude in North Bay and Timmins on October 30, 1985.

During these consultations we will seek local advice on the types of additional medical specialties now required in the north, where specialists would most appropriately be located, the patient referral patterns that might be improved to provide access to care and the travel outreach programs that specialists might undertake to serve the smaller northern communities.

As we move to put in place the various components of a northern health care program, it is also our intention to create a committee of northern general practitioners and specialists to monitor program development and to provide recommendations and advice.

I am confident that as we move into this first phase with our consultations in the five regional centres, we are beginning a process that will enable us to develop the health services that northern Ontarians both require and deserve.

#### BLOOD TESTING PROGRAM

**Hon. Mr. Elston:** The second statement pertains to the continuing difficult problem of

acquired immune deficiency syndrome in Ontario and to the blood testing and reporting program, about which there have been a number of statements in the press recently.

During the past month I have made a number of statements on the subject of AIDS. We have moved on a number of fronts to address the growing incidence of AIDS and increasing public concern.

On October 1, 1985, I announced two specific steps to support our efforts to confront this tragic development. Approximately \$200,000 in start-up and operating costs have been provided to the ministry's central laboratory in Etobicoke. On November 1 this year that lab will begin diagnostic specimen testing of suspected AIDS cases. Physicians throughout the province will be able to send specimens directly to the central lab facilities, and the tests will be covered as an insured benefit under the Ontario health insurance plan.

**2:30 p.m.**

I also announced that we will be providing up to \$1 million to the Canadian Red Cross as part of Ontario's contribution to a nationwide blood screening and blood testing program. That screening and testing program will also begin on November 1, 1985, and will be an invaluable support to the voluntary blood donation program that is highly valued and prized by all our citizens.

Further, we will be providing up to \$200,000 to establish an AIDS education panel in this province. An additional \$100,000 will be provided to the AIDS Committee of Toronto for its volunteer outreach and support program, a subject about which I have spoken earlier. I commend their activities in the community.

In the past few days there have been several media accounts about Red Cross blood testing procedures for acquired immune deficiency syndrome and the reporting process that will be followed when test results prove positive. Because these accounts may have led to some confusion in the public mind about what is planned and intended, I would like to clarify, both for the members of this House and the people of Ontario, the reporting process that has been agreed upon by the provincial government and the Canadian Red Cross.

This specific topic has been the subject of discussion between the Canadian Red Cross and the City of Toronto Health Unit. Unfortunately, these discussions have highlighted a misunderstanding between the parties regarding these

reporting requirements, a misunderstanding which has since been clarified.

AIDS has been designated a reportable disease since June 1983. This designation means that physicians and other health care professionals must report to their local medical officer of health persons whom they believe may have one of the 63 reportable diseases. Laboratories are required to report positive laboratory findings with respect to any of these diseases to the local medical officer of health. The legislation also contains provisions designed to protect patient confidentiality with regard to any of these diseases.

We currently have available two basic laboratory tests which can be used to assist in the diagnosis of AIDS. The first is a screening test, the Elisa test, which may be used to screen quickly for the presence of AIDS antibodies. If this quick test, which requires about 24 hours, is positive, the person may have—and I underline “may have”—been exposed to the AIDS virus. This is not dissimilar to screening tests used for other diseases such as syphilis.

In the event of a positive screening result, a second, more sensitive but time-consuming test to confirm or negate the initial finding is undertaken. For AIDS, this second, confirmatory test, the western blot test, takes about three to four weeks to complete.

In designing these testing programs, legislative reporting requirements and effectiveness considerations have resulted in the following protocols:

1. Within 24 hours of receipt, each blood donation is subject to the Elisa screening test.

2. If the results are negative, no further action is needed and the blood can be used for transfusions or the making of other blood products.

3. If the results are positive, a second and third screening test are performed on the blood.

4. If the second and third screening tests are both negative, the blood is deemed safe for use.

5. If either of the second screening tests are positive, samples are sent to the Red Cross National Reference Laboratory in Toronto for confirmatory testing under the western blot test program.

6. If that confirmatory test is positive, the blood is unsuitable for use and destroyed. This confirmed test result is reported to the local medical officer of health, via the Ministry of Health, in keeping with the provisions of the legislation. At the same time, the donor is notified that the blood sample has not passed the

required tests and the name of the family physician will be requested.

The attending physician would then counsel and monitor the patient, who may or may not go on actually to develop AIDS. Evidence so far indicates that a very small proportion, two to five per cent, will develop AIDS. The reporting requirement placed on the laboratory ensures that confirmed test results are reported to the medical officer of health.

Also, having the donor send to the Red Cross his or her physician's name and address allows the medical officer of health to ensure that the person is under a doctor's care. When the individual does not close the reporting loop by seeing his or her physician, the medical officer of health may undertake or arrange for counselling and medical care.

This protocol meets the requirements of the legislation relating to the designated diseases, provides the local medical officer of health with necessary information and preserves the integrity of the voluntary blood donation system.

I want to stress that in this reporting process every provision of our legislation regarding patient confidentiality and reportable diseases will be adhered to.

The nature of this reporting procedure is fully understood by all the agencies involved. Any uncertainty that may have existed has been resolved. I am confident the blood testing program, which begins on November 1, will be carried out successfully and expeditiously. I am also certain this blood testing program will provide every possible protection to Ontario blood donors and recipients of blood transfusions.

There will continue to be a number of complex issues that confront us as we seek to deal with the increasing incidence of AIDS. Our efforts on this front will include the public education panel on AIDS. I feel that will enable us to meet some of these arising issues.

Today I am announcing the people who have been appointed to serve on that panel, chaired by Dr. Jay Browne, director of social work at Chedoke-McMaster hospitals in Hamilton.

The panel members are Dr. Alexander Macpherson, medical officer of health, Toronto; William Mindell, co-ordinator of community health information, Toronto; Sharon Campbell, executive director, St. Elizabeth's Order of Visiting Nurses; Thomas Alloway, professor of psychology and zoology, Erindale College, and an AIDS Committee of Toronto representative; Joan Hollobon, Toronto, media representative;



Peg Folsom of the North York Health Unit, Ontario Public Health Association; Dr. Roslyn Herst, deputy medical director of the Canadian Red Cross section in Toronto; Johanne Mousseau, regional supervisor for Ontario of the Victorian Order of Nurses; Dr. Kathleen Givan, director of the department of clinical laboratories at Women's College Hospital, Toronto, and a member of the provincial advisory committee on AIDS to the minister; and Dr. Barbara Blake, director of the public health branch of the Ministry of Health.

The 11-member panel will be supported by up to \$200,000 in ministry funds to identify, develop and produce educational and informational materials, including pamphlets and videotapes for physicians, other health care practitioners and the public. In addition to producing information materials, the panel will make available to interested community groups speakers who are knowledgeable about AIDS.

In creating the AIDS education panel, our intention is to respond to the many myths and misconceptions that persist about the disease and to promote a well-defined and co-ordinated approach to public information and education about this disease in our province.

#### ITEM PRICING

**Hon. Mr. Kwinter:** Any member of this House who frequents any of Ontario's large grocery stores will be familiar with a concept best described as individual item pricing. Briefly explained, individual item pricing means that a price tag appears on virtually every item of merchandise on the store shelf.

While it was once a marketing necessity, the advent of computer technology, the universal product code and optical scanners now make it possible for most stores to do away with individual item pricing. It is possible, but it is unacceptable to the consumer.

I consider individual item pricing to be more than just another of our traditions being threatened by computer technology. The price sticker or pen marking on store goods is the only reliable source of price information that is mobile and can be used to compare in-store prices with cashier entries. I express the concern of many consumers in reacting to reports that Canada Safeway stores in five northwestern Ontario cities have recently done away with individual item pricing.

In 1980, the major supermarket chains in Ontario made a commitment to the provincial government that ensured the continuation of individual item pricing. Safeway stores were

bound by that commitment. They were and are members of the Retail Council of Canada, which was the spokesman for the food chains. The commitment, with few exceptions, is still being honoured throughout Ontario.

We expect grocery retailers to continue the practice of individual item pricing. If Safeway or any other supermarkets had consulted with my ministry before acting, they would have recognized our continued and firm support of the 1980 commitment and realized we are not considering any alterations to the agreement.

#### 2:40 p.m.

To clarify our position, I have arranged a meeting with representatives of Canada Safeway Ltd. on October 23, and representatives of the Retail Council of Canada have agreed to meet with me as soon as possible. In addition, I will be meeting with the Consumers' Association of Canada on October 30 to discuss this important consumer issue.

We expect Ontario supermarkets to live up to their promise to keep goods on store shelves individually priced, and we will consider introducing legislation if the grocery industry fails to co-operate. It is also important to state that we expect all stores, and not only chain stores, to item-price if equipped by scanners.

This is not the first time this House has addressed this issue. In the past a number of private members have introduced bills to show their strong concern. Bills introduced by my colleagues the member for Windsor-Walkerville (Mr. Newman) and the member for Welland-Thorold (Mr. Swart) come quickly to mind.

Legislation enforcing individual item pricing has been chosen by the provinces of Quebec and Manitoba. Manitoba, however, has not been enforcing the act, through the lack of regulations, and Quebec has not proclaimed its bill. Legislative action has been initiated in a number of states in the United States.

It is my hope that government-industry co-operation, which has made legislation unnecessary in the past, will prevail during our current discussions, but industry should be warned that we are prepared to take action on this important consumer concern if need be.

#### REGIONAL MUNICIPALITIES AMENDMENT LEGISLATION

**Hon. Mr. Grandmaitre:** I wish to inform the House today that it is this government's intention to amend those sections of Bill 22, the Regional Municipalities Amendment Act, dealing with additional regional councillors in the regional

municipalities of Durham, York and Waterloo. This will directly affect the towns of Markham, Vaughan, Whitby and Ajax and the city of Waterloo.

Since the final date of the posting of notices for the offices to be contested was October 12, it will not be possible to elect these additional regional councillors directly in Durham and York during the 1985 municipal elections. In view of the representation by population ratios in the five area municipalities, it is advisable to provide for the selection of the additional regional representatives on an interim basis until these councillors can be elected in 1988.

I therefore propose to make a motion when the legislation is being considered in committee to provide for the following:

All references to the election of additional regional representatives in York and Durham will be amended to refer to 1988.

The amendments providing for an additional regional councillor for the city of Waterloo will be retained and implemented effective the later of December 1, 1985, or royal assent of the amending legislation. At present, the mayor and the two top pollers sit on regional council. This legislation will provide that the mayor and the three top pollers will be regional councillors.

Effective the later of December 1, 1985, or royal assent of the legislation, the additional regional representatives of each of Markham, Vaughan, Ajax and Whitby for the remainder of the 1985-88 term of office will be chosen by each town council in the same manner as provided in the Municipal Act for filling vacancies either by election or by appointment.

## ORAL QUESTIONS

### ONTARIO FINANCES

**Mr. F. S. Miller:** I have a question for the Premier. During the election campaign the Premier went around Ontario talking a lot about the state of the finances in this province. In effect, he said we cooked the books.

On July 11, the Treasurer (Mr. Nixon) made a statement to this House in which he confirmed that the cash requirements of 1984-85 had been as predicted by our former Treasurer. However, he went on to say there would be deep trouble this year, \$2.6 billion in cash, and the very next day he found we were on credit watch. In mid-August, with one of those chameleon-like changes which he is becoming very adept at, he issued a press release that said—and this is the way it was reported in the *Globe and Mail*—

**Mr. Speaker:** Please ask the question.

**Mr. F. S. Miller:** I have to put this in context.

**Mr. Speaker:** Could you put it in the form of a question?

**Mr. F. S. Miller:** "Two months after taking over the government of Ontario, the Liberals have switched from accusing the Progressive Conservatives of cooking the books to crediting them with doing a great job with the province's economy. This dramatic change contains no hint that the Conservatives formed the government up until that point."

**Mr. Speaker:** Is the question "Do you agree?"

**Mr. F. S. Miller:** I am getting to that. Recently the Premier made a speech in which he again said things were in a bad state. Yesterday he implied taxes would go up very much in the upcoming budget. Does he still plan to increase the burden on the average taxpayer in this province by two per cent of sales tax, just to keep his promises and his unreasonable expectations and to live up to the increased debt he is putting on the people of this province?

**Hon. Mr. Peterson:** The Leader of the Opposition makes a number of points in his question. Most of them are wrong—in particular, his quote from the *Globe and Mail*. He should know better than anybody not to believe what he reads in the press.

Let me go through the sequence for my honourable friend. The Treasurer did say in his statement on July 11 that the net cash requirements for last year were \$1.7 billion, or in that range, reporting after the fact. He did say, and it was completely accurate and descriptive as opposed to prescriptive, using the numbers he inherited as Treasurer—the current fiscal plan, with no changes in revenue or expenditures, and factoring in the former Premier's election promises in his throne speech and other things he said when he was trying to redeem himself in the later stages of the campaign and after May 2—that the net cash requirements, with those promises included, would have been about \$2.6 billion. Even without those promises, they would have been \$2.2 billion.

The Treasurer factually laid out the situation as it was presented, and the member is quite right that Standard and Poor's put the province on credit watch with negative implications that day. From his conversations with his colleagues the former Treasurer and the former Premier, I am sure he will be very familiar with the difficulties they had with that rating agency, particularly in August 1984. They went down to New York and



I gather tried to appeal the process, made some promises to Standard and Poor's and, in some measure at least, turned over control of the books to them.

The member came in late with his three per cent transfers, and the previous Premier did not choose to deal with them. The member came in late with them, which did not allow the transfer agencies to plan properly. Then, in his conversion on the road to Damascus—and so many are having them today—he added \$181 million in expenditures after May 2, after he knew what was going to happen to him.

We laid out all those facts very clearly. That is the situation which the Treasurer has had to deal with. The member will see in the budget next week a realistic interpretation of the facts. He will see assets that are valued realistically, not inflated. We will not have, for example, billion-dollar assets of no particular value on the balance sheet. We will deal with the questions of money owed on transit that was neither budgeted for nor allocated—

**Mr. Bernier:** Answer the question.

**Mr. Turner:** That is a long answer.

2:50 p.m.

**Mr. Speaker:** Order. It is my duty as Speaker to try to have as many members as possible ask questions and receive answers. To do that—

**Hon. Mr. Nixon:** The question was too long.

**Mr. Speaker:** I have to admit I timed both, and they were very similar in length. Does the member have a supplementary?

**Mr. F. S. Miller:** Yes, I do. What the Premier has not done is deny the fact that he is planning to increase sales tax by two per cent in the budget. Does he not realize the average person in this province cannot afford \$600 more per year in taxes? The Premier talks about cynicism in politics. Does he not believe breaking his promises is creating cynicism?

**Hon. Mr. Peterson:** My friend has made a number of predictions lately. I could go through the list of them: the number of seats he was going to win, when we were going to call an election and everything else. He has been wrong every time and he is wrong again.

**Mr. Foulds:** Did I understand the Premier correctly that he handed over Ontario's books to Standard and Poor's for review? If he has, would he do so for the people of the province?

**Hon. Mr. Peterson:** The honourable member has completely misunderstood. I did not say that. We have not been down to Standard and Poor's. I

said the previous Premier was visiting there, with the previous Treasurer. The member will recall that famous meeting; it was a subject of much discussion in this House a year ago. That was the one to which I was referring. We have not had any discussions with them.

**Mr. F. S. Miller:** Any Premier who has had the kind of positive press this Premier has had in the last while should not question the veracity of the press.

**Hon. Mr. Peterson:** That is exactly why I do not believe it.

**Mr. F. S. Miller:** That is with good basis.

The Premier implied I was wrong again. That was his comment: "wrong again." What is it? Is it three per cent by which the government is putting up the sales tax? In this yo-yo policy the government has, "One day we are good, one day we are bad," what is today's policy?

**Mr. Speaker:** Is there any reply?

**Hon. Mr. Peterson:** Could you help me out, Mr. Speaker? Was there a question? Am I a yo-yo? Was that the question? If you could help translate, you would be doing a very worthwhile service to this House. I have no idea what the member is talking about.

**Mr. Speaker:** I guess it is not my job to translate any of the questions or responses.

#### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Davis:** The Premier is unquestionably aware that the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario has issued a set of highly detailed criteria to the boards of education, dated September 16, 1985, outlining what procedures must be followed in the 1986-87 school year in exchange for separate school funding.

I have some deep concerns about those criteria, because they place many restrictions on the Roman Catholic community in the expansion of its education system. Do the new guidelines reflect the government's current position on separate school funding?

**Hon. Mr. Peterson:** I will refer that to my honourable colleague.

**Hon. Mr. Conway:** It is true that in recent days the planning and implementation commission has issued to separate school boards and to boards of education the criteria for second-year plans for separate school extension.

It is also true that the planning and implementation commission has been listening very

carefully to the deliberations of the standing committee on social development and to the representations made by the hundreds to that commission. They have also been listening to the Minister of Education and this government, which have always been very serious in their view that separate school extension should take place within the context of a strong and positive public education system.

I have made it very clear to the planning and implementation commission and to the social development committee that for second-year plans—the planning and implementation commission has made this clear as well, and it is quite obviously part of the second-year criteria—that we will be looking very carefully at the breadth and viability of program, not just in the extended separate school plan but in the board of education that is impacted by the separate school extension; also, on the facilities, not just for the short term but for the long term.

This government is pleased that the planning and implementation guidelines have gone out, that they represent the views that have been presented to the social development committee and that they reflect the views of this minister that this plan will take place with some very clear and well-defined criteria that will be in the interests of both separate and public boards of education.

**Mr. Davis:** I ask the Minister of Education, the Premier and this government where they find the audacity to tell the people of Ontario that the final version of Bill 30 will be based on public input and careful consideration. The minister established a committee, encouraged hearings and, in spite of the hearings still going on and more than 80 delegates yet to come before us, he has already mandated most of the criteria behind the scene.

The minister has placed limitations upon expansion of the separate school system with respect to funding. In the new criteria, he has mandated the sharing of facilities in school boards. I ask the minister, is this the direction of his government, which controls the funding? Is this the way the new government is going to operate, that it will say it has openness but on the other hand it will have mandated policies?

**Hon. Mr. Conway:** With all due respect to the honourable member, perhaps he can help me understand his question in the light of his party's activity when it was in government. When the Tories were in government, they were paralysed with this issue over 13 months and could not introduce the legislation. They sent the planning and implementation commission out into the

province without any legislative authority whatsoever to deal with first-year plans.

This government has made a commitment to do a number of things. In the first week of our tenure, we introduced the legislation and referred it to the committee and to the court. Yes, we are serious when we say this policy will develop within clear rules that will be carried forward on behalf of the government by the planning and implementation commission, a fact that is well known to the member for Scarborough Centre (Mr. Davis).

**Mr. Allen:** The arcane nature of the question and the length and perhaps the convolution of the first answer suggest a good reason why my colleague has been asking for simultaneous translation in this House for francophone members.

In the light of this question and in the light of the fact that the planning and implementation commission will be before the committee on Tuesday afternoon dealing with those very terms of reference for the second-year implementation, will the minister be in the House that afternoon to discuss with us the issues that surround the implementation guidelines for 1986?

**Hon. Mr. Conway:** I say to my friend the member for Hamilton West that I will make every effort to accommodate his wish. Let me say as well—

**Mr. R. F. Johnston:** Is that yes?

**Hon. Mr. Conway:** If I have not already booked myself to meet a delegation from Scarborough West, I am quite prepared to be available.

However, I want to say to the member that the second-year criteria were sent to the social development committee on October 11, 1985, and I hope the planning and implementation commission gets some credit for devising criteria that reflect to a very real degree the substantial input from members opposite and others through the three months of consultation, where the concerns about viability and single-school communities were made abundantly clear.

I hope the members opposite are prepared to give the planning and implementation commission the credit it deserves for devising second-year criteria that, in my view, very properly reflect a lot of the input which that very hard-working committee, under the able leadership of the member for Scarborough West (Mr. R. F. Johnston), has offered to the commission.

**3 p.m.**



**Mr. Davis:** I will try not to use jargon which the Minister of Education and my learned colleague to my left do not understand. Since the minister was present at many of those hearings, does he not know the petitioners who came before us had great concern about and objected to the sweeping powers of the planning and implementation commission? They want the issues dealt with within the bill. We still have 80 delegates to come before us, which must mean the minister does not believe or consider their input to be important.

The fear most expressed by people before us, which is the sweeping power of the planning and implementation commission, now has been recognized because the criteria have been changed. Is the minister proposing to incorporate subsection 136s(4) in Bill 30?

**Hon. Mr. Conway:** I remind the honourable member that it was his government in a previous incarnation that created the commission. I hope the member for Scarborough Centre is going to offer to his friend the member for Don Mills (Mr. Timbrell) the advice he offered to me. His friend did not wait for the committee beyond about the middle of August before taking his position.

This government is serious about public consultation, but we are also committed to proceeding in an orderly fashion. I have said before and I repeat now that when the time comes to review the bill clause by clause, we will listen to all constructive suggestions the member and others may bring forward. However, the planning and implementation commission has important work to do and I am one who believes it should be encouraged to go forward and do that important work on the basis of a lot of good advice that has been offered by the member and his colleagues opposite.

#### NURSING HOME INSPECTIONS

**Mr. Rae:** I want to address some questions to the Minister of Health about the tragedy that has taken place in London at the Extendicare London Nursing Home where 18 people have died. I am not satisfied, and I hope the minister also is not satisfied, that we have all the answers to this terrible tragedy, how it could have happened and how it could have been allowed to carry on for so long.

Specifically, the minister will be aware that the first case of diarrhoea was reported on September 8. There were 10 new cases, reported inside the home, that were discovered on September 9. There were 16 new cases discovered on September 10. During those three days,

there were 27 cases of epidemic diarrhoea with extremely severe symptoms. They were not reported to the medical officer of health in the city of London until September 11, at which time 14 new cases had broken out.

The minister will know the requirements under the Health Protection and Promotion Act are very clear: as soon as an epidemic is discovered, it must be reported to the medical officer of health.

Is the minister satisfied that the basic requirements of the laws of Ontario have been met by those responsible for this situation?

**Hon. Mr. Elston:** The tone of my announcement last week in the city of London with respect to the whole issue, and the release of the report by Dr. Korn on his investigations into that tragic event, indicate that I have some concerns about what happened with respect to a number of items. By releasing that report, I have indicated I want the most open and public discussion of the difficulties that came about as a result of the outbreak of the disease at Extendicare.

In addition, the honourable gentleman will be aware that an inquest is to be held. A number of the items he is talking about will be deliberated upon by a jury formed under the coroner's auspices. A number of answers will come from that. However, I have not waited. I have announced initiatives with respect to co-ordinating the inspection capabilities of both the public health unit and the nursing homes branch. It seems to me that by my quick and open action I have indicated my very serious concerns about the manner in which this event occurred.

**Mr. Rae:** I asked a very specific question of the minister with respect to the health promotion act. It sets out a clear requirement. The minister referred to that requirement very specifically in his report in London on Friday.

As the minister responsible for the implementation of that act, is he satisfied the requirements of the act were met when 27 people come down with cases of epidemic diarrhoea and it is not reported for three full days?

**Hon. Mr. Elston:** The determination of the legal obligations will be addressed in the coroner's inquest. My concern is that there be an early reporting, and I have indicated that in each case where there is any indication of an outbreak of any sort it will be deemed to be an emergency for the purposes of reporting to the medical officer of health. These honourable gentlemen obviously do not wish to wait for a very full public discussion in the inquest.

This issue is extremely important to me and it is important to the citizens of the province. Steps

have already been taken, very early, very active steps on our part, the release of a report to the public, to let them know exactly what was done by the medical officer of health. I cannot see anything at this time that indicates I do not have a great deal of concern about the events that surrounded the deaths at Extencicare.

**Mr. Rae:** No one is challenging the concern; that is not what is at stake here. What is at stake here is whether people died whose lives could have been saved had different actions been taken. What is also at stake here are institutions that have a special responsibility and that may not, in terms of the law, have met that responsibility. That is why he is the minister. It is a tough job, but he has to do it and he has to see that the law is protected and maintained.

With regard to Dr. Korn's report, which the minister has referred to, he will be aware that people caught this terrible epidemic diarrhoea in two ways: first, by eating whatever the substance was on or about September 5, and second, in person-to-person contact.

Dr. Korn's report says, "On September 19 a number of control strategies were implemented, including," and I am omitting some things, "exclusion of ill staff and improved inspection control procedures."

Does the minister understand the implication of that remark of Dr. Korn's? Will he confirm my understanding of what Dr. Korn has said: that between September 8 and September 19, for 11 days, staff members who caught this epidemic diarrhoea were continuing to work in the institution and to take care of other patients? Is that clear? Is the minister satisfied with that situation going on in a nursing home?

**Hon. Mr. Elston:** The member asked several questions. The report by Dr. Korn is very specific about what occurred and about the very specific steps that were taken after Dr. Korn and the public health unit intervened to provide some isolation with respect to the care of the patients. Dr. Korn's report is very full and complete in that sense and the member opposite can read it as well as I can.

**Mr. Speaker:** New question.

**Mr. Rae:** Let me go back—

**Mr. Speaker:** New question.

**Mr. Rae:** I have a new question on the same subject.

The minister will know that his department issued a Guide to the Control of Enteric Disease Outbreaks in Health Care Facilities in the summer of this year; he referred to it in his

statement on Friday. It deals explicitly with this problem with respect to staff. It says specifically, "Patient care staff exclude from work all cases or suspected cases who are involved in patient care."

No one is disputing that Dr. Korn wrote his report and that he reported on what he found. Is the minister satisfied that, when he had an epidemic involving dozens of people, caused both from eating this stuff and from person-to-person contact, it took 11 days before the kinds of tough measures that were obviously required were taken to stop this epidemic? Is he satisfied with this 11-day delay in a nursing home in Ontario with literally hundreds of patients?

**Hon. Mr. Elston:** The honourable gentleman probably does not understand the technical nature of the difficulty that was contracted by the patients. He would understand, if he had read the report, that the incubation period of this disease is four or five days before it takes effect.

The initial exposure means there is a considerable time delay in discovering exactly what people are suffering from. There are some indications that during the initial two or three days, before people were able to assess what was happening to those individuals, they were trying to take the best steps they could inside the nursing home.

**3:10 p.m.**

The inquest will be clear and specific about the steps that were taken. Dr. Korn's report to me recounts exactly what happened with respect to his interventions and what he was able to find from his work there. The inquest will be a much more thorough, intensive interview of the people who were involved. I am sure that people, staff who work at the nursing home and others, will be subpoenaed to try to discover exactly what instructions were given to each of them.

It is an extremely critical and important part of our process that the coroner's inquest not be jeopardized by statements made by people in public before there has been a chance to examine the entire record. I have been very open with respect to the reports I have made available. I am concerned that every time there is an inspection and a report with respect to the health and welfare of the people of the province, it become available for people to look at and examine.

I am encouraged that these individuals are examining these reports. There is the very full report from Dr. Korn as to his role. The inquest will determine the precise role of all the players and that is an important process we must follow.



**Mr. Rae:** The issues raised by Dr. Korn, and indeed by the minister's own statement, raise questions in every paragraph. Does the minister not feel those circumstances are sufficiently serious that we should have a full public inquiry, quite apart from what is going on under the Coroners Act?

I am sure the minister would agree that if 18 deaths took place in virtually any other kind of institution, the outcry would be enormous. I hope he shares my view that in many cases those residents had long and full lives to lead and that they were cheated of those long and full lives by the tragedy that took place. It is our responsibility as public servants to make sure, not only that it never happens again but also that we attach some responsibility for what took place in the past.

**Hon. Mr. Elston:** The question of a full public inquiry was broached earlier by two of the member's colleagues, but not by the member himself. It was shared with me by the member for Windsor-Riverside (Mr. D. S. Cooke) and also by one of the members from Ottawa. We have not come to a decision with respect to that. On Tuesday, when this matter was raised with me in private conversations, I said I would be thinking about it.

They obviously have not told their leader what I told them. It is extremely important that under the inquest system we analyse exactly what happened to claim the lives of those individuals. That is one way we can come up with a number of the answers required to fill in the puzzle as to why they died. That inquest has been ordered but has not been scheduled. We intend to co-operate fully with that inquiry.

**Mr. D. S. Cooke:** I hope the minister will quickly consider a public inquiry. As my leader said, if that number of deaths had occurred at any other institution, there would be a public inquiry.

I hope this is not a commentary on how we feel about the elderly in this province. We need a first-class inquiry to make sure we get to the bottom of this tragic incident.

There appear to have been two violations of two different pieces of legislation: the reporting mechanism under the Health Protection and Promotion Act and refrigeration of food under the Nursing Homes Act. Both are at the bottom of the initial start of this contamination and disease and the ongoing nature of it with the number of people who became ill.

Are we going to have to wait for a coroner's inquest or a public inquiry until the minister determines whether charges are going to be laid against the people responsible—

**Mr. Speaker:** The question has been asked.

**Mr. D. S. Cooke:** — or is it not perfectly clear in those instances that a charge can be laid and the people should be brought to justice?

**Hon. Mr. Elston:** There is no indication on my part of any delay in taking action on the circumstances that generated these tragic deaths. We have already indicated the need to co-ordinate the better inspection services I spoke about in the city of London. We have taken several other steps with respect to upgrading the educational background for training people in food handling. These are very practical steps to ensure that the people in the province are protected by having better information available.

After the question was asked of me on Tuesday, at which time I undertook to look into having a compliance plan made available to the member, they telephoned my office and requested several other documents. At this time I am prepared to table five documents. All the members can have access to the nutritional care inspection report, the environmental inspection report, the nutritional care follow-up inspection report, the letters and plan for temporary kitchen report, the environmental inspection report and the ministry consultant report that was given to Dr. Korn.

I have taken steps to open up this process and there is no delay with respect to action. In addition to those activities with respect to this branch, I am also undertaking an immediate external review of the operations of the nursing homes branch of my ministry. That is all being done to ensure that the protection of the public is adequately served.

#### TEACHERS' LABOUR DISPUTE

**Mr. J. M. Johnson:** I have a question for the Minister of Education relating to the teachers' strike in Wellington and Grey.

We have legislation under Bill 82 that guarantees every child in this province a right to an education to meet the expectations of his or her parents. We have legislation that compels children to attend school until they are 16 years of age. We have the Charter of Rights and Freedoms that surely applies to students as well as other citizens of this country. Then we have Bill 100 which seems to override these acts.

Would the minister give consideration to setting up an all-party committee to review Bill 100 and also the Matthews report of 1980, in the hope of making amendments that would give more protection to the rights of students affected by teachers' strikes?

**Hon. Mr. Peterson:** Those guys are unbelievable. They really are.

**Mr. Speaker:** Order. The Minister of Education.

**Hon. Mr. Conway:** I want to say to the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) that, like him and my colleagues the member for Wellington South (Mr. Ferraro), the member for Grey (Mr. McKessock) and the member for Grey-Bruce (Mr. Sargent), I am concerned about the situation in which thousands of students at the secondary level in the counties of both Wellington and Grey now find themselves as a result of the difficulties there. I have said, and I repeat, that the best way to resolve such situations is a locally negotiated settlement.

In regard to the member's specific suggestion, some time later this fall or during the winter there will be an all-party committee of this Legislature, the standing committee on social development, that will deal with the estimates of the Ministry of Education. At that time, the member can come forward and make his representation on behalf of his constituents with regard to how Bill 100 might be improved upon in his view.

**Mr. J. M. Johnson:** I am not sure I am satisfied with that answer. The question was whether we should have a committee to review the whole process, not my simple interpretation of what I feel it should be.

Having said that, I also want to ask the minister if he will consult with the Attorney General (Mr. Scott) to determine whether Bill 100 in some way does not comply with the Charter of Rights and Freedoms.

**Hon. Mr. Conway:** I will be happy to consult with the Attorney General on the member's specific question. I repeat to the member that I am concerned, as I know he and all the parents and students in Wellington and Grey counties are concerned, about the situation.

3:20 p.m.

Over the past number of years we have developed considerable experience with Bill 100. One of the clear results of that experience is that the best way to resolve the difficulties in the interests of quality education at the local level is to see that both local parties, the board and the teachers' federation, get together and resolve their difficulties by virtue of a locally negotiated settlement.

I would hope that in the interests of the kids, the member for Wellington-Dufferin-Peel and others would bring pressure to bear on both parties at the local level to do that very thing.

**Mr. McKessock:** The parents from both Grey and Wellington counties put it quite forcefully to us today that they feel they have already pressured the teachers and the board to a great extent and they are now at an impasse.

It is my understanding the Education Relations Commission can call a jeopardy hearing. Who can call this hearing? Can the parents do it? They would like to have one now. They feel they should be pressuring the Education Relations Commission.

**Mr. Gillies:** You government guys are too much.

**Hon. Mr. Peterson:** If the opposition cannot ask a question, we have to do it right.

**Hon. Mr. Conway:** The provisions of Bill 100 are quite clear. It is the responsibility of the Education Relations Commission to determine jeopardy. Of course, it will entertain representations from parents and any other interested parties on the jeopardy question. The people of Grey and Wellington might very well wish to make representation to the ERC on the question of jeopardy. As of this moment, the ERC has not made a finding of jeopardy in either of those counties.

#### NURSING HOME INSPECTIONS

**Mr. Rae:** The Minister of Health just tabled a report which I have been seeking for a couple of days. It is a report of September 20 by a doctor who was hired with respect to this matter. In his report he says, "Our inspection revealed improper cleaning and sanitizing procedures in food handling." This was 12 days, not after the food was eaten, but after the first outbreak at Extendicare.

I would ask the minister to comment on these statements: "In the walk-in freezer, ready-to-eat products are stored with raw meats with possible cross-contamination. In the coolers, raw eggs and soiled trays were stored with ready-to-eat foods. The counter where the sandwiches were prepared was dirty. The can-opener was very dirty. The hand basin in the kitchen area was dirty. The telephone receiver in the kitchen area was heavily soiled. Stove-grill combinations were not properly cleaned."

There are 25 items listed by this gentleman, 12 days after the first outbreak of epidemic diarrhoea. Is the minister satisfied with this condition in a nursing home in Ontario in 1985? What is he going to do about it, for God's sake?

**Hon. Mr. Elston:** The reason for these reports and the reason this gentleman was sent there was to find out exactly what was happening.



**Mr. Rae:** What about the ministry inspectors?

**Hon. Mr. Elston:** Does the member for York South want to listen or not? I am taking some very specific action to make sure the public of this province is protected. I am very much concerned with the fact that food handling may be a problem in some institutions and, by gosh, I am going to make sure the people in this province are protected, whether the member likes it or not.

I do not care what the member wants done. My first and primary concern is that the people are protected, and I am going to make sure that information is made available to them. I have taken steps to get it out to those people and I will continue to do that. My concern is basically that reports such as that are not going to be part of the record of this province in nursing homes.

**Mr. Rae:** We on this side have heard this song from the member for St. Andrew-St. Patrick (Mr. Grossman), from the member for Don Mills (Mr. Timbrell) and from every Tory Health minister going, every time we raised an issue about a nursing home. It is a disgrace.

Does the minister not agree that it is disgraceful in 1985 that we would have this going on in a nursing home and possibly contributing to the deaths of 18 people in Ontario in September? Is the minister satisfied with that and with the length of time it took his own official to tell him what was going on with respect to this matter?

**Hon. Mr. Elston:** The length of time my official took to inform me of what was going on was very short indeed. The release of the report was very quick, as was the release to the public. We have been very open on this whole procedure. We want to show exactly how concerned we are that this sort of thing does not happen again.

I have not seen a more open account of an incident like this in any part of the province ever before. We are making all of this material available so that the public understands and so that the people of the province who are involved in the operation of nursing homes understand how critical and important it is to have good sanitation, good food handling and other sorts of things that ensure the quality of care of the individuals who use the nursing homes in this province.

We have taken very quick steps to ensure that the information is made available for those people who operate the nursing homes and to ensure that the people in those nursing homes are very well taken care of and that sanitation procedures are in effect.

## MISSISSAUGA TRANSIT LABOUR DISPUTE

**Mr. Offer:** My question is to the Minister of Labour about the current Mississauga Transit situation. The minister will be aware that there are 50,000 users of this system per day. He will be further aware that this transit system has been shut down since September 18, 1985.

In the light of this very serious matter and of the hardships being imposed on the thousands of residents of Mississauga, will the minister indicate what he is prepared to do to get the Mississauga Transit system working again?

**Hon. Mr. Wrye:** The honourable member is correct that the dispute has been going on for some time now. My officials have been in constant touch with both parties to the dispute. Those discussions have gone on both before and after the beginning of the strike, lockout or whatever one wishes to call it.

As recently as Tuesday of this week, the mediator in the dispute, Fraser Kean, met for some period of time with the parties to the dispute. I am pleased to tell the member for Mississauga North (Mr. Offer) and the other members from the Mississauga area, who I know are also concerned about the matter and who, like this minister, have probably been receiving a number of phone calls, that some substantial progress was made in the discussions on Tuesday. I am informed by my officials that the talks have adjourned so that both parties may carefully review the positions that have been put forward.

**Mr. Offer:** Can the minister indicate whether he is prepared to introduce back-to-work legislation, if the current round of talks fails, to allow these Mississauga Transit workers to return to their jobs while negotiations continue between union representatives and the city of Mississauga?

**Hon. Mr. Wrye:** The government made it clear at earlier times that it believes, and it continues to believe now, that it would be appropriate for the two parties to put their minds to resolving the issues that divide them—and they are difficult issues—in this collective bargaining dispute. There is no doubt that the public is being inconvenienced, as it is in most disputes of this kind. I am sure the two parties, the leadership and the membership on the union side and the leaders on the management side, the council in Mississauga, are well aware of the inconvenience to the public, and I am sure they are lending every effort to shortening the length of that inconvenience as much as possible.

3:30 p.m.

### SPILLS BILL

**Mr. Brandt:** I had a question I wanted to address to the Minister of the Environment, who was in his seat earlier, but in his absence perhaps I can address it to the Premier (Mr. Peterson).

**An hon. member:** The minister has come back.

**Mr. Brandt:** The minister has come back. I am sure he was out weighing acid rain samples somewhere at the outer extremities of the building.

My question relates to the minister's statement on July 5 in which he was discussing the question of the proclamation of part IX of the Environmental Protection Act, more commonly referred to as the spills bill legislation. He indicated then that the bill should be in final form early enough to give industry and insurers at least two months to take the necessary steps to comply with the law by the end of November.

It was anticipated at that time that the panel would report by October 1. Earlier I had asked the Premier whether his government was prepared to give adequate and reasonable time to all those who would be affected by this particular legislation. He assured me at the time there would be adequate input, the government would listen to input and would negotiate the situation if any amendments—

**Mr. Speaker:** What is the question?

**Mr. Brandt:** I am getting to the question very shortly.

Is the minister now prepared to change the deadline for implementation of that very serious piece of legislation, or is he going to give a shorter time frame to all those who will be impacted by the legislation requiring them to comply in what I think is already an unreasonable time frame? What are the minister's intentions?

**Hon. Mr. Bradley:** I wonder whether six years is really a long enough time for consultation to take place in regard to this legislation.

**Mr. Brandt:** That is not the question.

**Hon. Mr. Bradley:** The member will recall that this legislation was brought forward under Dr. Harry Parrott, a former Minister of the Environment and a member of the former government. He is the author of this legislation. It was supported by the Progressive Conservative Party and the two opposition parties at that time.

Subsequent to and during that process, there were hearings in committee at which people had an opportunity to make representations, and

since that time they have made representations. During the period of four years when the Tory party was in power, there was an opportunity to make any changes to that bill that might be necessary or to proclaim any regulations associated with the bill. Yet there was total inertia for some four years when the members opposite were part of the government.

As the member knows, I announced at that time that a blue-ribbon panel, as it is called, an advisory panel, was going around Ontario in a unique situation, to listen to input from various people on the proposed regulations. It is my understanding that considerable input was forthcoming. The committee report should be on my desk today. I believe I had the report of the panel yesterday and it is on my desk today, so I can evaluate that report and finalize the regulations. I hope to do so within a week, in answer to the member's question.

When I do, he will discover that, despite the efforts of all those who are opposed to the spills bill, who are opposed to one of the most progressive pieces of environmental legislation in the history of mankind—and the former government can accept some of the credit for that—despite the efforts to destroy the spills bill and the scare tactics that were employed, we will have a workable bill that will bring to Ontario a high level of interest and work in the prevention of spills.

**Mr. Brandt:** As usual, the ministers on that side refuse to answer a question. My very direct question was whether the people of this province were going to get 60 days to respond, but I do have a supplementary.

Will the minister table in this House, or indicate today to me and to the members of this House, whether there are any insurers in Ontario who are prepared to comply with the requirement to insure under what is known in the bill as absolute liability? If so, will he let us know who those insurers are?

**Hon. Mr. Bradley:** Despite the efforts of those who are opposed to the spills bill, some of whom are the major polluters and others of whom have a reasonable interest in the specifics of the spills bill, and—I say this in as friendly a tone as possible to the member for Sarnia (Mr. Brandt)—despite his own efforts in expressing publicly his opposition to the proclamation of the spills bill, which his government proposed to the House and which had passed in the Legislative Assembly, there has been a good response to it from the insurance industry.



We have worked very hard to explain the exact conditions. I will be prepared to make an announcement in the very near future to the former minister. I hope he will applaud it and I hope his party will quit defending the big polluting interests in Ontario and will come down on the side of the environment, instead of on the side of those who pollute the environment.

**Mrs. Grier:** Will the minister be tabling in this House the report of his blue-ribbon panel when he discovers whether it is on his desk?

**Hon. Mr. Bradley:** I will be pleased to share that. This government has committed itself to freedom of information and to sharing information with everyone. I will be pleased to share it with all members of this House and with the public so that everyone may be able to evaluate it and pass his own judgement on it.

### CAN-CAR RAIL

**Mr. Foulds:** I would like to ask a question of the Premier. As he knows, considerable uncertainty surrounds the work force in the plants of Can-Car Rail Inc. in Thunder Bay because of the rationalization plans of the Urban Transportation Development Corp. Can the Premier explain why he should add to the uncertainty of both the work force and the customers of UTDC by his public musings about selling off UTDC?

**Hon. Mr. Peterson:** It is because we are very seriously considering the privatization of those assets; that is why. I am saying exactly what I think about the situation.

With respect to the other question, that we are creating some uncertainty, it is our view that employment should be maintained and that the research and development component should be maintained. However, I am not persuaded governments are the most efficient managers of corporations. The member has seen how much money UTDC has cost over the years. He has seen some of the moves it has made, including buying Can-Car.

We are most anxious to keep that employment intact, but we are exploring private sector options to make it bigger and more successful rather than to limit it. There are some limitations—and, in fairness, some advantages—to having a totally public-sector-owned corporation. We are looking at the alternatives.

One of our conditions will be to maintain employment. We are not anxious to see factories close down. We are not anxious to see it go backward by any stretch of the imagination. The government is obviously committed to a number of guarantees on some of the projects. It is no

secret they have not had particularly good luck lately in getting new contracts. There is a feeling that if there were private sector involvement, it could get involved in other projects to make it more viable and build more employment. That is why we are looking at the situation the way we are.

The member's point is well taken. I know there is some insecurity and I hope by his question and my response we can dispel that. We are going to fight very hard to maintain that employment.

**Mr. Foulds:** I fail to understand how the Premier's statement today or his previous statements add to a climate of confidence. Mr. Foley said in Thunder Bay, to an audience in which my colleague the member for Fort William (Mr. Hennessy) and I were present, that they did not purchase Can-Car to lay off people. Because of his ideological commitment to privatization, is the Premier now saying that Can-Car was purchased to sell it off? Does he not understand what that does to the confidence of the work force, labour-management relations and the confidence of purchasers of the products of UTDC?

**Hon. Mr. Peterson:** I am not exactly sure I understand the question, but let me try it.

We are not in any way trying to undermine confidence. I understand the insecurity of the workers at Can-Car, but believe me, they have been insecure for some time. There have been the same rumblings for some time. Perhaps my public discussion of our approach to some of the assets has added to that. I do not want to contribute to that. I would like to say we are anxious to maintain those employment levels and to see them grow, but there are other business opportunities that could be explored if there were some private sector involvement. That is why we are approaching it in this way.

I am certainly prepared to work with the honourable member in any way he deems constructive to maintain employment there and in Kingston. I hope research and development can be kept here and the company grow, not wither on the vine. Believe me, that is one of the great dangers for corporations of that kind. There is a substantial amount of money in that company. Even the previous government, which conceived the entire operation, turned its back on it not too long ago and changed some of the technologies because they were not competitive. The member is aware of that. We are anxious to keep it going if possible.

3:40 p.m.

**Mr. Foulds:** It turned a profit of \$13 million, so the government sells it off.

**Hon. Mr. Peterson:** If my friend would look at the books, he would realize there has been no real profit to talk about.

**Mr. Hennessy:** With regard to UTDC, why did the Premier have a task force study made if he is not thinking of selling the plant? I make the accusation that I think this is a political move to take care of his colleague the member for Kingston and the Islands (Mr. Keyes). That is what I am concerned about. There is a plant down there.

The Premier has moved \$1 million worth of machinery from Thunder Bay to Kingston. If that machinery is moved out of Kingston, he can be sure the people who operate it will not be employed. I think it is just a political gimmick to have a task force study of UTDC. I, for one, was not very enthralled by Mr. Foley's statement; as far as I am concerned, it was just a brainwashing job for the employees there.

**Mr. Speaker:** Is that your question?

**Mr. Hennessy:** Is the Premier going to guarantee the commitment that the jobs at the Can-Car Rail plant in the city of Thunder Bay will be saved, instead of having a task force or a political gimmick?

**Hon. Mr. Peterson:** I am not aware of commitments Mr. Foley made there or anywhere else or of commitments that were made in the past.

**Mr. Hennessy:** You should be; you are the boss.

**Hon. Mr. Peterson:** The honourable member can see that the previous government has handed us a number of difficult problems to deal with, and we are trying to deal with them as sensibly as we can. However, let me come quickly to the bottom line.

I am as concerned as the member is about that employment. I have been to the Can-Car plant on several occasions. It is no secret that I had certain opinions, which were made public at the time of the purchase. I thought it was a mistake for UTDC. If he will check the record, he will find out the things I said.

That being said, it is now in our hands and we are determined to maintain employment and to be as fair as we possibly can be in the circumstances. We think there are some options worth exploring that could bring a new vitality to that company, which has had some problems over the past year.

## EMPLOYEE HEALTH AND SAFETY

**Mr. Gordon:** I have a question for the Minister of Labour. In a recent press release, he said he did a three-month, comprehensive review of the Valenite-Modco situation and, on the basis of that review, felt he could not prosecute.

Given the exhaustive measures the minister took and the statements he made about his concerns for organized labour, and the fact that he said he was going to become more aggressive and change things in Ontario, surely he must have sought outside counsel. Is he prepared to table any reports from other legal firms, other than those from the ministry, in this House at this time?

**Hon. Mr. Wrye:** I am sure the honourable member knows full well, as I indicated in the House in early July, that I sought counsel outside my own ministry and went to the Ministry of the Attorney General. In late September, it offered an opinion that was exactly the same as that offered in March 1985, when my friend's party was still in power—and that opinion was offered by my ministry's legal officials—that a prosecution would not succeed.

I know my friend the member for Sudbury East (Mr. Martel) may have some disagreements, but it seemed to me that to prosecute in the face of clear, direct and unambiguous advice from legal officials in both ministries would constitute an abuse of the legal process and would simply serve a political process.

**Mr. Gordon:** Since the minister obviously is not prepared to prosecute Valenite-Modco and has chosen to hide behind the skirts of the Attorney General (Mr. Scott) and has not gone to any counsel outside of a ministry, will he at the very least order comprehensive health tests to be made available for employees of Valenite-Modco to ensure that any incipient cases are treated before more workers become injured as a result of occupational disease?

**Hon. Mr. Wrye:** I believe that kind of testing is ongoing; I would think the member would know that. I point out to him that the problems occurred before this government took office, and I want to indicate that the difficulties have continued. Earlier this month, Valenite-Modco, which agreed in March to move out of its plant 4 and into a new facility and which was given an exemption from engineering controls, asked for a release from the exemption, which was to expire at the end of this month.

On Tuesday of this week we asked Valenite-Modco and workers who agreed with the



company to attend in my boardroom. We had a meeting with them. I want to report to the member and to my friends in the New Democratic Party that we have indicated once again that we expect the new plant to be in place on October 31 and that plant 4 will no longer be in operation. We have been given assurances.

I am told that the work was going on during last weekend even in the rain and that, barring an act of God, they will be out of the current plant 4 and into the new Tranby Avenue plant on October 31, perhaps even on the weekend of October 25. I hope that will happen.

#### MEMBERS' ANNIVERSARIES

**Mr. F. S. Miller:** On a point of privilege, Mr. Speaker: I have been told there are three members here—the member for Sudbury East (Mr. Martel), the member for Erie (Mr. Haggerty) and the member for Perth (Mr. Edighoffer)—who 18 years ago today were first elected to this House. I have shared 14 of those years with all three of them, and while question period with its sound and fury—

**Hon. Mr. Nixon:** Signifying nothing.

**Mr. F. S. Miller:** I do not quite agree with the last part. The Treasurer just whispered “signifying nothing” to prove that he sometimes reads something somewhere.

The fact remains that after these periods of opposition and hard work pass, one of the things that those of us who have hung around here for a few days have discovered is the great camaraderie and the quality of the people in this House.

I have always argued, even when I was on that side, although I preferred it there, that it was not the party one represented that mattered, it was the quality of the person who was elected. In our case it is the same. The members opposite may have missed that.

This House has been enriched very much by the keen interest of the member for Sudbury East in the work and the conditions of the people in the mines in his riding, and by his impassioned, sometimes even angry, defences and questioning in that area.

The member for Erie, with whom I had the great privilege to be on a select committee one year, sent the whole committee into a theatre, making us believe it was something obscene, only to find that it was a pretty plain movie. That is deception at its best. He has worked and brought to this House an understanding of the labour movement, of the workers in the factories and of the people in his riding.

The member for Perth, whose riding I visited during the election, trying to unseat him, through all those years has represented the people of his riding with dignity, distinction and even-handedness.

I simply say we are richer for all three. Let us continue to enjoy both their attacks and their additions to this House.

**Mr. Speaker:** If I may say a word on behalf of the three of us, I know we all appreciate your kind comments. The only thing I think you missed was that you should have said we all look the same.

I know I speak on behalf of all three of us. Thank you for your kind comments.

#### PETITIONS

##### AMBULANCE LABOUR DISPUTE

**Mr. Haggerty:** Following that train of thought by the former Premier, I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

“We, the undersigned, support the Welland, Port Colborne and Fort Erie ambulance officers in their just fight for an immediate public investigation of the poor emergency care since July 26, 1985, and intervention in the ambulance strike.”

This is signed by 6,448 petitioners. The name of my colleague the member for Welland-Thorold (Mr. Swart) is mentioned on this along with mine.

3:50 p.m.

#### OBJECTIONS TO FILM

**Mr. Shymko:** I would like to submit a petition regarding the film *Hail Mary* and its objectionable content; it has been signed by approximately 800 citizens of this province, including about 200 from the riding of High Park-Swansea:

“We, the undersigned, consider the theme of the film *Hail Mary* most objectionable and, therefore, we resolve to boycott all across Canada any theatre where the film *Hail Mary* is shown to the public.”

#### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. D. R. Cooke:** I have no fewer than four petitions regarding Bill 30 with a total of about 2,150 signatures. The first one is from the members of St. Teresa's parish in Kitchener and has 270 signatures, all of which support the proposed legislation in Bill 30. Perhaps it would be significant if I briefly covered the “whereas”

clause with regard to this petition. The three other petitions are similar.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the sincere expectation of more than 500,000 students and staff of the separate school system of Ontario and nearly four million separate school supporters in the province of Ontario; and

"Whereas it was clearly the intent of our forefathers to treat both sectors of our common school system equally; and

"Whereas this intent is evident in successive acts of the Legislature since 1841; and

"Whereas the rights of separate school supporters are now protected under the Constitution of Canada; and

"Whereas deviation from past practice has occurred within the last 20 years, whereby trustees of the nondenominational sector of the common school system have been given the right to administer secondary education; and

"Whereas similar rights have not been granted to the trustees of the separate school sector; and

"Whereas the then Premier, the Honourable William Davis, on June 12, 1984, informed the Legislature that it was the intent of his government to empower Roman Catholic separate school boards to operate secondary schools for secondary students, commencing September 1, 1985; and

"Whereas this intent was unanimously supported by all parties in the House;

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985."

That petition is dated in August 1985 and is signed by 270 people. A similar petition from St. Joseph's parish in Kitchener was signed by 302 people, one from St. Francis's parish in Kitchener was signed by 770 people and one from St. Mary's parish in Kitchener was signed by 810 people.

**Mr. Partington:** I wish to file a petition from students of Denis Morris High School in St. Catharines, addressed to the Lieutenant Governor and this assembly. It encourages, commends and supports members of this assembly in their efforts and desires to ensure equal opportunity for Roman Catholic students in a completed, fully funded Roman Catholic school system and asks the Lieutenant Governor and members of this assembly to support the passage of the amendments to the Education Act, as contained

in Bill 30. This petition is signed by more than 500 students.

**Mr. Reycraft:** I have a petition signed by several constituents living in the electoral district of Middlesex. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas it is the sincere expectation of more than 500,000 students and staff of the separate school system of Ontario and nearly four million separate school supporters in the province of Ontario; and

"Whereas it was clearly the intent of our forefathers to treat both sectors of our common school system equally; and

"Whereas this intent is evident in successive acts of the Legislature since 1841, and

"Whereas the rights of separate school supporters are now protected under the Constitution of Canada; and

"Whereas deviation from past practice has occurred within the last 20 years, whereby trustees of the nondenominational sector of the common school system have been given the right to administer secondary education; and

"Whereas similar rights have not been granted to the trustees of the separate school sector; and

"Whereas the then Premier, the Honourable Mr. William Davis, on June 12, 1984, informed the Legislature that it was the intent of his government to empower the Roman Catholic separate school boards to operate secondary schools for secondary school students commencing September 1, 1985; and

"Whereas this intent was unanimously supported by all parties in the House;

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

**Mr. Offer:** I have a petition to the government in support of separate school funding, asking for implementation of the policy on funding the completion of the separate school system without delay and asking that this legislation protect the historic right of Roman Catholics to maintain the special character of their separate schools. It is from the John F. Kennedy council and friends chapter of the Knights of Columbus and is signed by 2,311 members of that council.



**Mr. McCague:** I have a petition the content of which is exactly the same as that read by the member for Middlesex, and it is submitted by the Knights of Columbus Council 5793 in Collingwood.

**Mr. Reycraft:** I have a second petition; it is signed by 150 people who are employed by the Middlesex County Board of Education. The effective clauses read:

"We petition the Ontario Legislature to call on the government (1) to seek a constitutional referral prior to any implementation to determine whether extension would conflict with the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms and (2) to debate fully the issue of extension prior to any implementation, such debate to include consideration of the issue by an appropriate committee of the House, with an opportunity provided for the people to appear and be heard."

#### SALE OF BEER AND WINE

**Mr. Guindon:** I have a petition bearing 253 names. It opposes the sale of beer and wine in the general stores in Ontario. It is from the stewardship committee of the Knox-St. Paul's United Church of Cornwall.

#### MOTION

##### COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the select committee on economic affairs be authorized to meet in the morning and afternoon of Wednesday, October 23, 1985.

Motion agreed to.

4 p.m.

#### INTRODUCTION OF BILLS

##### HUMAN RIGHTS CODE AMENDMENT ACT

Ms. Gigantes moved, seconded by Mr. R. F. Johnston, first reading of Bill 37, An Act to amend the Ontario Human Rights Code.

Motion agreed to.

**Ms. Gigantes:** The purpose of the bill is to prohibit discrimination on the basis of sexual orientation in services, accommodation, contracts, employment and vocational associations in Ontario.

##### MUNICIPAL ELECTIONS AMENDMENT ACT

Hon. Mr. Grandmaitre moved, seconded by Mr. G. I. Miller, first reading of Bill 38, An Act to amend the Municipal Elections Act.

Motion agreed to.

**Hon. Mr. Grandmaitre:** This legislation will amend the Municipal Elections Act to conform with section 15 of the Canadian Charter of Rights and Freedoms. All persons who are patients in psychiatric facilities, inmates of penal or correctional institutions who are not under sentence of imprisonment, and judges will no longer be disqualified from voting in municipal elections. Speedy passage of these changes will permit the persons affected to exercise their municipal franchise in the November elections.

#### COUNTY OF ELGIN ACT

Mr. McNeil moved, seconded by Mr. McCague, first reading of Bill Pr24, An Act respecting the County of Elgin.

Motion agreed to.

#### CITY OF SUDBURY ACT

Mr. Martel moved, seconded by Ms. Gigantes, first reading of Bill Pr27, An Act respecting the City of Sudbury.

Motion agreed to.

#### ANSWERS TO QUESTIONS IN ORDERS AND NOTICES AND RESPONSES TO PETITIONS

**Hon. Mr. Nixon:** Before the orders of the day, I wish to table the answers to questions 1 and 17 in Orders and Notices and the responses to petitions presented to the Legislature, sessional papers 56, 62, 90 and 99 [see Hansard for Friday, October 18, 1985].

#### MEMBER'S REMARKS

**Mr. Runciman:** On a point of order, Mr. Speaker: I am not sure whether this is the appropriate position for it but I was reading Hansard and, as I recall—discussing it with my colleague it is his recollection as well—on Tuesday when the member for York South (Mr. Rae) was questioning the Minister of Labour (Mr. Wrye), he made a reference to, "The Premier, wandering outside in the corridors, makes a statement every three days to whomever will listen about what might or might not happen."

It follows that Hansard has reported, "I have a very specific question for the minister, and I hope he will not screw it up again." I recall his remarks about screwing up were directed to the Premier (Mr. Peterson) in reference to his wandering around the halls making comments. I think that was a very specific comment directed towards

the Premier and it was reflected very clearly on the Premier's expression at the time.

Mr. Speaker, I ask that you have the Hansard officials review the reporting on that specific day. As I recall, it was directed very specifically at the Premier.

**Hon. Mr. Nixon:** Mr. Speaker, while you are contemplating that, may I say that in my opinion some of these colloquialisms are somewhat inappropriate in this august chamber.

**Mr. Speaker:** The request is that I review Hansard, and I suppose I am at the behest of the members. I appreciate the comment made by the government House leader, but I will take a look at it.

**Mr. Runciman:** One final comment: I think it raises a question about the accuracy of Hansard reporting, that is all. I think that is a serious matter of concern.

**Mr. Speaker:** I appreciate that.

## ORDERS OF THE DAY

### ELECTORAL DISTRICTS

#### REDISTRIBUTION

(continued)

Resuming the adjourned debate on the motion for consideration of objections to the report upon the redistribution of Ontario into electoral districts.

**Hon. Mr. Sorbara:** I want to begin my comments by congratulating the commission on the work it has done thus far. It is a very difficult task and I think I express the sentiments of everyone in this House in that we look for a speedy resolution to some of the difficulties that have arisen in the latest drawing of the line.

I will keep my comments very brief. I want to speak specifically to the problems that have been created by taking out the municipality of Whitchurch-Stouffville from its current inclusion in the boundaries of the riding of York North.

Perhaps I might refer to the comments, during the session when we last debated this, of the member for Durham-York (Mr. Stevenson). He made the point rather well and I want to endorse his comments. He was talking about the situation that existed for his riding. I want to reflect very briefly on the specific problems relating to the people of Whitchurch-Stouffville in being excluded from York North and included in the proposed new riding of York-Ontario.

Before I do that, I also would refer to the comments made by the member for York Centre (Mr. Cousens). I want to reiterate his point that

the whole area of the province which includes the ridings of York Centre, York North, which is the riding I have the pleasure to represent, and Durham-York is growing very rapidly and the present boundaries do not reflect the dramatic increase in population.

In the riding I now represent, York North, there are five municipalities. The proposal is to create a new riding to be called York-Ontario, which would include Whitchurch-Stouffville, and another new riding of Markham, which is to be taken away from the riding of York Centre. Then York Centre will include the town of Vaughan and the town of Richmond Hill.

If you read the notes and the report of the commission, the commission itself makes the point that it has had difficulty in deciding what to do with Whitchurch-Stouffville. I submit that to include it in York-Ontario is completely inappropriate. The people of Whitchurch-Stouffville do not have a close affiliation with that large expanse of land which would be the new riding of York-Ontario.

The highway communication, the communications in terms of shopping, the natural boundaries, all relate to the municipalities of Markham, Aurora and Newmarket.

If, during the recent election, there was one thing that everyone in that area agreed upon it was that the people of Whitchurch-Stouffville were being unfairly treated in being included in the proposed riding of York-Ontario.

**4:10 p.m.**

If you look at the map, Mr. Speaker, and where the population of Whitchurch-Stouffville is located, you can see that the vast majority of the people live within one and a half or two miles of the municipality of Markham. If you talk to the people, many of them will tell you they work in the city of Toronto, in Metropolitan Toronto, or in Aurora, in Newmarket, or indeed in Markham. They certainly do not associate with Durham and with York-Ontario to the extent they associate with the areas to the south and to the east.

I regret I do not have a solution. I have not redrawn the map. It is possible to contemplate that Whitchurch-Stouffville be included in a revised drawing of York North and perhaps then York North would include the municipalities of King, Newmarket, Aurora and Whitchurch-Stouffville. If that is too many people for one riding, perhaps the township of King could be included with Vaughan in York Centre.

There must be a solution to the problem. We must find a way to properly represent the people



of Whitchurch-Stouffville. The point the member for Durham York made two days ago was a very accurate one: if we were to do it this time we would find ourselves 10 years down the road doing the reverse and acknowledging the injustice that had been meted out to Whitchurch-Stouffville and we would have to redraw those lines.

In conclusion, I make a simple plea to the commissioners. They have done the people of Whitchurch-Stouffville an injustice by segregating them from their natural community and a more appropriate solution would be to include them in a southern riding, whether it be the new riding of Markham, the proposed riding of York Centre or the proposed riding of York North.

**Mr. Ashe:** I rise not to speak about the proposed riding boundaries of the present riding that I now have the honour and privilege to represent, Durham West, but my concern about the proposal of the commission for a new riding to be named Durham Centre. I can speak to it without anyone saying I have a direct conflict in the issue.

I am completely satisfied with the proposal for the future riding of Durham West. It very correctly identifies and recognizes the great growth that has taken place throughout the western end of the region of Durham; namely, the municipalities of Pickering, Ajax and Whitby, which I now represent, with the exception of the top part of Pickering.

In previous motions tabled on this issue, I have made suggestions and I feel they are relevant enough to put on the record again. First, in drawing the electoral map for the proposed Durham Centre riding, the commission failed to heed the representations of the citizens of the town of Whitby that the total municipality should remain intact.

Second, the commission failed to recognize the community of interest built up within the town of Whitby since the amalgamation of the former town and the former township of Whitby. In that regard, I think it is worth noting and extremely relevant for the commission to look at the fact that when the hearing officer, Judge Hughes, heard representations in Peterborough in early May 1984 on the proposed boundaries for Durham Centre, he made this comment, which was quoted in the paper:

"There is nothing historic between north Whitby and Whitby. There may be a connection now but it is by no means an historic link. Brooklin has been a part of Whitby for only the past six or seven years." It is quite obvious that

the learned judge had not really looked at the electoral background of what is currently known as the town of Whitby. He would have found that he was at least 10 years wrong in his reference as to when the northern part of Whitby, then known as Whitby township, was added to the then town of Whitby to become a new, enlarged town of Whitby.

He talked about six or seven years and he was wrong by approximately a decade.

Again, there were representations made to the commission by many people who were soundly opposed to splitting Whitby. The proposal is to split it literally and geographically on a north-south basis, taking the lower part of the town—which is the most heavily urbanized part, there is no doubt about that—and adding it to a chunk of what is currently Oshawa. This will create the new riding of Durham Centre.

Again, I quote from a small portion of the representation made to the hearing commissioner in Peterborough in May last year. "We have worked for years to build a community and these new boundaries mean an end to the connection between north and south Whitby," Whitby resident William Nurse said. "A solid social fabric has been brought about by churches, schools and community buildings and this new, artificial political boundary would upset this relationship."

I will go on to reinforce the record with some of the other objections which I indicated previously. "The commission failed to recognize existing boundaries of municipalities or wards thereof—the existing and traditional boundaries of electoral districts—both omissions in direct conflict with the commission's terms of reference.

"Fourth, the commission failed to recognize that when the region of Durham was formed in 1973"—and in effect was consummated with an election on October 1, 1973, which was followed by the official forming of the region on January 1, 1974—"it was created following an in-depth planning and development study that showed the town of Whitby as constituted was the only municipality within the new region not to undergo a boundary change." This was an obvious recognition of the town of Whitby, both north and south, as an appropriate political entity.

The present member for Durham West, namely myself, representing Whitby for nearly eight and a half years, is very much aware of the community and the citizens therein. This member has not heard of even one citizen of the

community—again, I can update that to the current moment and emphasize, not one citizen—speaking in support of splitting the town for provincial electoral purposes.

A municipality must be split when its population is obviously too large to be accommodated within the maximums of a provincial constituency, but this is definitely not the case with Whitby, which has a total population somewhere in the low 40,000s. Therefore, there is no doubt it is not a riding in itself; it is not big enough.

However, there is no reason to split Whitby as we have to do in major municipalities where two, three, four, or whatever the case may be, provincial constituencies are created by necessity.

I recommended and now reinforce that the new electoral district of Durham Centre comprise the complete town of Whitby and a smaller unit of the city of Oshawa necessary to satisfy the normal population requirement.

I would also like to put on the record an editorial that appeared in one of the local newspapers following the hearings in 1984. The headline is "No-Link, Nonsense."

"There will be new provincial electoral boundaries created in the Oshawa-Whitby area; our population growth has dictated that. What is maddening, however, is the commission mandated to make up the new boundaries has not taken into consideration municipal boundaries.

"We must challenge comments made Thursday by Ontario Supreme Court Judge Sam Hughes, the man who is chairing the electoral boundaries commission, who told a public meeting in Peterborough Thursday that there are no historic links between the town of Whitby and north Whitby; therefore, they should not be preserved in one provincial riding.

"We disagree.

"Boundaries are very important to people. If you stop to think about it. The imaginary line that separates Whitby from Oshawa and Ajax is important to its citizens. So is the line that separates Durham from Metro, Ontario from Manitoba, and Quebec and Canada from the United States.

**4:20 p.m.**

"The chairman of the commission should stop and think of what he is saying. To tell these people of Whitby who will be in the new riding of Durham Centre that they will not be linked with north Whitby but with a portion of the city of Oshawa because there is no historic link is ludicrous. The people of Whitby just won't buy that argument."

I want to reinforce for the public record and I hope for the benefit of the commission, when it is rethinking, relooking at and redrawing the new proposed riding boundaries, that it keep the town of Whitby intact, as it is now composed and has been for well over a decade and a half, as the main component of the new riding of Durham Centre, and just add to it whatever population is sufficient to create an appropriately-sized riding. The rest would come very properly from the adjoining municipality, the city of Oshawa.

**Mr. G. I. Miller:** It is a pleasure for me to rise today and participate in the debate on the redistribution of the ridings across Ontario. It is a crucial time in our democratic system when we start dividing our ridings. Stability in our overall planning is most important.

The last speaker, the member for Durham West (Mr. Ashe), was addressing that very issue. We have existing boundaries. The municipalities are represented by members with whom people are familiar. They know how to make those contacts. I believe stability in our overall system is very important.

Another concern I have with the distribution that is taking place and on which the commission has made recommendations is the fact that representation in rural Ontario is being taken away. Urban centres are growing. There is no doubt we need representation by population, but in rural parts of Ontario, where distances are great, population becomes less important, such as in the 15 ridings in northern Ontario. The average number of voters there is 51,000 per riding. That is the area around which the commission works.

This could be extended further into southern Ontario to provide better representation. Where there are great distances—my own riding is 90 miles from one end to the other—it makes it more difficult to get around and less accessible to the members of the Legislature than for someone here in Toronto who has a very small area in square mileage. Here there is access to direct communications, whereas rural areas are divided into telephone calling areas. There are many barriers besides transportation and the commission should be taking these things into consideration.

In my own riding of Haldimand-Norfolk, which represents the region of the same name, the boundaries are based on those regional lines, which were just redistributed when the regional government was implemented in 1973. It caused a lot of confusion and concern to the local people, but after almost 12 years of operation, they are



getting accustomed to it, once they get into the communities and work together as a region and a community as a whole.

In the redistribution of the riding of Haldimand-Norfolk, the commission is recommending using the same area but dividing it up between the former county of Norfolk as a new riding and another which will be called Brant-Haldimand. That means taking basically the same population and just shifting it around and confusing the people. That has not been considered by the commission.

I am not saying the commission has not tried to do its best by using figures and coming up with fair decisions in regard to population, but I do not believe it has taken into consideration that stability is important for our system and also making sure that as many people stay involved in the democratic system.

Whatever party one represents, maintaining that involvement is important. It is not the money one gets for contributing to the system that is important in politics. One gets more satisfaction from the involvement in making sure the democratic system is working well.

We made a presentation to the Ontario Electoral Boundaries Commission on April 25, 1984, when we had an opportunity to do so. At that time the commission was considering dividing the area into three ridings. They came back with an alternative that I do not believe is satisfactory.

I think we should use existing boundaries and leave the riding of Brant and Norfolk and whatever portion was allotted to Oxford to keep the balance, so we have continuity in our system. I realize 10 years is a considerable time, but time goes quickly. I cannot emphasize enough that stability is the crucial thing to let the people know how the system works and to try to create confidence in our system.

I represent the riding of Haldimand-Norfolk, which consists of the former county of Haldimand, the town of Simcoe, portions of the town of Delhi and the township of Norfolk. I am familiar with the Norfolk portion of the riding of Brant-Oxford-Norfolk which is represented by the Treasurer (Mr. Nixon).

Mr. Deputy Speaker, as the member for Oxford (Mr. Treleaven), you are more familiar with that riding than I am. It has worked out quite well. We get many calls from people in the overlapping areas of the two ridings and we do not hesitate to co-operate and give information. We have had the opportunity of working with the town of Tillsonburg, which you represent, and

we try to help in those areas where our boundaries join.

The only area of concern, if they are going to make adjustments and leave our boundaries as they are now, is that the new town of Townsend, which is very close to Jarvis, is being divided by the old county line. It is represented on one side by the member for Brant-Oxford-Norfolk and on the other side by the member for Haldimand-Norfolk.

That boundary could be adjusted to make sure the new town is represented by one member. If this were done, it would create a much better sense of community. There are 120 new homes in the town, which has a population of about 500 people. If we want to develop community spirit, it would be better to include the town in one municipality.

**4:30 p.m.**

Going back three years, the federal riding was based on the same boundaries, except that it took in the complete region of Haldimand-Norfolk. The population may be a little high from that point of view, around 89,000. They were going to split that into two different ridings, but we felt so strongly about it that we made a presentation. The commission did change its view and maintained the riding as Haldimand-Norfolk.

It is important that we do not shift or move every 10 years. We should rely on the growth that is possible. We are in a position to have good growth if the economy turns around. Maybe down the road the area could be divided, but at the present time that growth has not happened, and for the next 10 years perhaps it will not grow that quickly. From a stability and representation point of view and for working with the democratic system, I think stability is the most important feature the commission should be looking at.

I would like to close with one other comment to emphasize the fact that rural Ontario represents the farming community. As the parliamentary assistant to the Minister of Agriculture and Food, I believe we need the rural ridings, particularly in these difficult times, when we all realize the farm economy is undergoing hard times and our rural municipalities are suffering as a result. We should strengthen that representation and not weaken it here at Queen's Park in the Legislature, which represents the total area of Ontario.

Again, I would hope the commission would rethink its position and relook at that. It may be they want to zero in on the high population areas and divide those up, so there is fair representation, but they should leave rural Ontario alone, so

we have some stability out there and our future can be looked at with encouragement and not be repressed.

With those comments, I would hope the commission would take these views into consideration.

**Mr. Villeneuve:** It is a pleasure for me to rise in this House today to address the subject of redistribution. I must say it is not a very popular subject in the riding I come from.

First, let me put into context where the riding of Stormont, Dundas and Glengarry is situated relative to the rest of Ontario. We are in the southeastern most section of this great province, bounded on the east side by the province of Quebec and all along the southern limit by the St. Lawrence River. The riding of Cornwall takes a small area from that particular section. The great riding of Prescott-Russell, which my colleague across the floor here represents so ably, and which has exactly the right number of population, adjoins us to the north. On the west side is the boundary between Dundas and Grenville counties.

We are talking about—

**Mr. Sterling:** About the great member over there.

**Mr. Villeneuve:** The great member over there is right here on the back benches of this very great party.

First, may I say welcome to the reeve of Williamsburg township, one of the 19 municipalities within the great riding that I am so pleased to represent. Welcome, Johnny. Johnny and I have had a number of small discussions. We had an election at one time and Johnny was a very able opponent, wearing a red tie. I see he still has it on today.

The commission recognized the fact that the county of Glengarry and the city of Cornwall in the original submission did not have a great deal in common. Therefore, when the second submission came out, most of the county of Glengarry was taken back to what has traditionally been the riding of Stormont, Dundas and Glengarry.

In the riding of Stormont, Dundas and Glengarry, we have the cradle of Ontario. We have no end of tradition. We have the Stormont, Dundas and Glengarry Highlanders, who date back to the War of 1812. The Stormont, Dundas and Glengarry Highlanders are very highly respected and very highly thought of. We started way back in the late 1700s as a particular area, recognized as such. This is why I say we must not fracture further the riding of Stormont, Dundas and Glengarry.

The present submission outlines the fact that the municipality of Charlottenburgh would be deleted from the rural area of Stormont, Dundas and Glengarry. Charlottenburgh has probably the most vibrant population increase within the riding I so proudly represent. Let me put it in this context. There are 14 bicentennial farms across Ontario. Seven of them are located within the riding I represent and five are situated in the township of Charlottenburgh. If this goes through, we will be affiliating Charlottenburgh with the township of Cornwall and the city of Cornwall, which is very urban.

Further to the west of the riding, it is suggested four municipalities, or basically the east half of the county of Grenville, would be tacked on to what has been traditionally known as Stormont, Dundas and Glengarry. I must point out to the commission the name would not change. It would still remain Stormont, Dundas and Glengarry, not recognizing that the eastern half of the county of Grenville would be attached to this riding.

Likewise, I must mention that when we refer to the federal riding, which is Stormont-Dundas, everyone seems to forget that the township of Charlottenburgh is very much part of that riding. It seems to be taken for granted and is not recognized. I feel these are situations that must not be allowed.

Going back to a bit of history again, the Stormont, Dundas and Glengarry Highlanders fought in the battle at Chrysler's Farm. Historians have written about a number of these very famous battles. Indeed, we speak again of a natural alliance. The community of diversity of interests very much addresses Stormont, Dundas and Glengarry as an area, as a common situation with county councils and school boards. The district health council incorporates the riding of Prescott-Russell, but it also covers Stormont, Dundas and Glengarry and also Cornwall and Cornwall township. We certainly have a community of interests in this particular area.

Means of communication are not a great problem. We have Highway 401 and Highway 417. They address that problem, which is not a difficult one.

I come back to the situation that in the riding I represent the largest centre of population is the town of Alexandria, with slightly more than 3,000 people. We also have a number of other smaller centres, such as Winchester, Morrisburg and Chesterville in the range of 1,500 to 2,000. Since we are addressing a population of 50,000 and our metropolis is slightly more than 3,000,



we have a rural distribution throughout the riding.

As many of the previous speakers addressing this have mentioned, we do not want to see the rural part of Ontario further underrepresented. I personally feel, because of the location of Stormont, Dundas and Glengarry and the structure and makeup of rural areas, we must retain the status quo intact. It is a situation that was addressed by a number of my colleagues and I certainly agree with them. Rural Ontario must have more, not less, representation.

**4:40 p.m.**

Let me go back to the type of industries within the riding I so proudly represent. We have a number of milk processors, formerly known as cheese factories; they now are big business. We have Ault's, Winchester Cheese and Nestlé's. We have Kraft at Ingleside and at Williamstown. We have Carnation. We have a number of grain elevators that have sprung up in the area, all oriented towards the rural and agricultural economy.

When the initial redistribution came up and the county of Glengarry was projected to be with the city of Cornwall, we had a great hue and cry that it was not to be. We had every municipality objecting strenuously. That was heard when the commission visited Ottawa. I say to the commission that the status quo is very important as it currently stands in and around Stormont, Dundas and Glengarry.

I wish to read into the record a letter I received from the reeve of Cornwall township, who belongs to the adjoining riding. Mr. Cleary says in part:

"If changes are to be made, I am bound to say the only boundary change that I would favour would be one that saw Cornwall township affiliated with the other townships and villages within the counties, rather than be isolated from them. Further to possible changes, I would state that I have objections to having another county from the west side or another part-county from the west side added to the existing Stormont, Dundas and Glengarry riding."

That letter states that a fairly rural municipality would like to divorce itself from the city of Cornwall and be affiliated with its natural ally, which is Stormont, Dundas and Glengarry.

I have further correspondence, from the town of Kemptville, which reads:

"This council is not in favour of these announced changes whereby Grenville county would be split with our eastern portion being

added to the provincial riding of Stormont, Dundas and Glengarry.

"The mayor and councillors are irate over this matter as Kemptville has absolutely nothing in common with Stormont, Dundas and Glengarry. Kemptville is part of the united counties of Leeds and Grenville, with the land registry office in Prescott, functions within the Leeds and Grenville County Board of Education, the Lanark, Leeds and Grenville Board of Health, the Lanark, Leeds and Grenville assessment office, as well as other boards, courts, public groups within the two-county area. Council strongly opposes any change that would divide the county of Grenville.

"It is of the opinion that the mathematics of the change may be in order, but the effects of the change in regard to human feelings and historic background of the area may not have and never were sufficiently understood or addressed."

I will not take up much more of the time of this House. I must touch on one more situation I did not get a chance to address last Tuesday when the House reconvened. Our colleague the member for Grey (Mr. McKessock) had a McIntosh apple on every desk in this Legislature, and I thank him for that. I must remind the House that the McIntosh apple originated in the heart of Dundas county at a little place called Dundela.

**Mr. Mancini:** I thought it came from Essex county.

**Hon. Mr. Kerrio:** It came from Niagara.

**Mr. Villeneuve:** It came from the cradle of Ontario, in the riding I so proudly represent.

**Mr. Sterling:** Right at Dundela.

**Mr. Villeneuve:** Right at downtown Dundela. I thank the honourable member for the McIntosh apple and for the opportunity to give Dundas county a bit of publicity in this great Legislature.

I believe I have taken up enough of the time of this House, but I must reinforce that all those who have spoken to me about redistribution tell me emphatically: "Status quo; the way it is now. Let us forget the numbers game. We are situated in a rural area at the extremity of the province. Let us not upset our apple cart."

**Mr. Morin:** On this, my first occasion to address the Legislative Assembly, I want to state how proud I am to be here as the member for Carleton East. I intend to make every effort to prove myself worthy of my constituents' confidence in electing me.

During the summer months I had the pleasure of sitting on four different committees. I was particularly impressed by the excellent co-

operation and the nonpartisanship demonstrated by all my fellow members. I strongly believe we achieved, in an ambience of camaraderie, the objectives defined by the House. I sincerely hope this atmosphere of mutual respect will continue to exist in this House. After all, we all work for the same boss: the citizens of Ontario.

It was with a great deal of interest that I reviewed the recommendations of the Ontario Electoral Boundaries Commission, particularly as they affect my own riding. I was impressed by the thorough and conscientious manner in which the commission has dealt with the enormous and complex task of redrawing the electoral map. I wish to express my gratitude to the commission and to comment on some of the major revisions that are proposed for Carleton East.

Because of the growth in the existing riding of Carleton East during the past few years, the riding has become too populous for one person to represent effectively. Indeed, Carleton East in recent times has been one of the fastest-growing ridings in Ontario. Historically, the riding has had a rural-suburban blend with a healthy francophone-anglophone mix, making the riding somewhat culturally and linguistically diversified. This diversity has been one of the strengths of the existing riding, as the different groups of people in Carleton East have daily demonstrated that diversity can mean harmony and an enriched appreciation of the interests, aspirations and opinions of others.

A large part of the existing riding is in the city of Gloucester—a progressive, forward-looking city that traditionally has recognized and met the challenges associated with the cultural and linguistic diversity to which I referred earlier. Gloucester is unique in its conception of recreational areas, which is referred to in a private act, the Gloucester Act, and which is implemented pursuant to the Community Recreation Centres Act.

The result is that Gloucester is divided into eight recreational areas determined on the basis of recreational geographical communities. Each of these communities has a local recreation committee, which directs expenditures of grants in that community. All these local recreation committees are under the umbrella of a Gloucester recreation committee. Gloucester is also divided into similar planning districts, which facilitate co-ordinated planning.

Thus, one can appreciate that in two very important areas, recreation and planning, those parts of Carleton East that lie in the city of Gloucester, including the community of Cyr-

ville, are very much integrated and share a strong community of interest.

The point of this is that one of the commission's recommendations respecting Carleton East was to remove from the riding an area bounded by the Queensway on the south, Blair Road on the east, Montreal Road on the north and St. Laurent Boulevard on the west. Most of this area is contained in the city of Gloucester and forms part of what is known as the Cyrville community for the purposes of recreation and planning within Gloucester.

**4:50 p.m.**

The commission's proposal is to add this area to the electoral district of Ottawa East. The report states as its rationale for this decision that the francophone community of interest within Ottawa East has been enhanced by the addition of the subject area.

It is my respectful opinion that this rationale is unsupportable for the following reasons:

1. La population francophone, qui représente environ 35 pour cent de la circonscription de Carleton Est, verrait son noyau d'intérêts communautaire dilué par l'ablation de cette région. Avec une telle diminution du nombre d'électeurs francophones, il est probable qu'un député anglophone soit élu et ne puisse communiquer adéquatement avec ses contribuables d'expression française, ce qui serait injuste pour ceux qui demeureraient dans la circonscription, après redistribution, parce qu'ils verraient leurs intérêts sous-représentés.

2. The subject area historically and traditionally has had a strong community of interest in recreation and planning matters with most of the rest of Carleton East. There has been no such attachment with Ottawa East. St. Laurent Boulevard is a major, six-lane transportation route that divides the Cyrville area from Ottawa East. This creates a logical boundary between the ridings and, what is more important, it is perceived by the populations on each side as dividing their respective communities.

In March 1985, the Ontario Municipal Board divided the city of Gloucester into wards. The Cyrville area is part of a ward named Gloucester North, which includes areas of Gloucester to the east and northeast of the Cyrville area. This further reinforces the historical and political ties between the Cyrville area and other parts of Carleton East.

3. The concern in proposing that Cyrville be removed to Ottawa East for a linguistic community of interest is that a francophone enclave may be created. This would be unfortunate for both



Ottawa East and Carleton East. It should be noted that my colleague the member for Ottawa East (Mr. Grandmaitre) does not object to the maintenance of the original electoral boundaries between his riding and my own. That is the affected Cyrville area.

4. Under the new boundaries, the member for Carleton East would still have the same number of municipalities within his riding even after redistribution, but Gloucester city council would have to deal with three MPPs, those for Ottawa East, Carleton East and Ottawa-Rideau, for the same municipal area, instead of a single MPP, as under the current distribution. The new boundaries would fragment the electoral responsibility for Gloucester so much that no one member would be the primary contact for the mayor's office. Redistribution should simplify the lines of communication between mayors and Queen's Park, not complicate them.

In conclusion, I accept the other recommendations of the commission respecting the new electoral district of Carleton East. However, I strongly believe that by leaving the Cyrville and Carson Grove areas within the electoral boundaries of Carleton East, the commission will preserve an existing historical community relationship and facilitate effective representation of that area in the Legislative Assembly.

**Mr. Dean:** I rise to comment briefly in this debate on the redistribution recommendations. Wentworth, as most members know, is one of the ridings in the region of Hamilton-Wentworth on the south shore of Lake Ontario. We are almost in the part that is called the Niagara Peninsula, which the member for Niagara Falls (Mr. Kerrio) thinks is such a marvellous place, and I have to agree with him on that—the Niagara Peninsula, that is.

At present, the riding of Wentworth comprises all of the town of Stoney Creek, all of the township of Glanbrook and all of the city of Hamilton east of Upper James Street and south of Mohawk Road; it is a little wedge on the southeast corner of the city of Hamilton on top of the escarpment.

The first two communities I have mentioned, all of the city of Stoney Creek and all of the township of Glanbrook, have a great deal of affinity from their longtime association in the former county of Wentworth, from their historic connection and from the fact that they contain people who look at life in a similar way and have a great community of interest.

The present one third of the riding of Wentworth that is in the city of Hamilton

certainly adjoins the others, but the people have less in common, partly because the social relationships of the members of the riding who live in Hamilton are mostly connected with the rest of Hamilton and its downtown area, which is represented by two or three other ridings.

I have been pleased to represent the existing riding, and I do not have any quarrel with it at all. The three parts of it, while they are somewhat different in their outlook and their background, form a harmonious riding. I have had many opportunities to meet with the people in all three areas to deal with their issues and, in short, I treat it as a unified riding.

I would be satisfied, therefore, and I think the people in the riding would be satisfied, if it continued as it is. The proposal of the Ontario Electoral Boundaries Commission, however, involves a small change. The new riding they are proposing to call Wentworth South would still contain the city of Stoney Creek and the township of Glanbrook, but they propose to delete the portion of Hamilton that is in the present riding and, as I mentioned, is on top of the escarpment, and to put in a portion of Hamilton that is north of or below the escarpment, stretching east from the Redhill Creek to the boundary of the present city of Stoney Creek.

The portion they are proposing to put in is immediately adjacent to another portion of the riding which is going to stay in, and it has great economic, social and historical ties with the portion called Stoney Creek because of the kind of activities the people indulge in there; they belong to the same clubs, churches and so on. In fact, this piece of ground they are proposing to add to the riding of Wentworth, under the name of Wentworth South, was a part of the former township of Saltfleet, the rest of which is now part of the city of Stoney Creek.

There is more community of interest, if any, between the portion of Hamilton that the commission proposes to put into the riding of Wentworth than there is in the portion that is now in it. I think, and I believe most of the people in the riding think, that would be a very satisfactory alternative to the present boundaries. Looking at it strictly from the standpoint of community of interest, it would be a more satisfactory alternative than the present one.

However, I want to assure you, Mr. Speaker, and the other members that I have no hesitation in suggesting that the present arrangement is okay. I know that either arrangement can be made to work, but I think that what the commission has proposed is the better of the two. Both of them

meet the population criterion; so there is no problem there.

Having said all that, I want to emphasize that some features of the proposals that have already been discussed by the representatives of other ridings in the Hamilton-Wentworth area could have a domino effect on the surrounding ridings, including the riding of Wentworth.

It would be very unsatisfactory, in the case of changes that were made in other ridings in the area that had this cumulative effect, to attach to Wentworth any piece of the city of Hamilton on top of the escarpment, i.e., south of the brow of the escarpment, larger than what is now in the riding, because of the relatively low community of interest of any other portions that might be available for such a juggling of boundaries.

It would also be undesirable to separate the township of Glanbrook, which is in the riding now and which is proposed to be in the riding by the commission, to even out populations or anything of that sort because of the very great historic content and connection and the concerns of the people there, a very great present community of interest.

**5 p.m.**

In brief, the proposal the commission has made to create a riding called South Wentworth, which would include most of the present riding of Wentworth and a portion of the city of Hamilton below the escarpment, would be most satisfactory. The present setup in the riding of Wentworth is very satisfactory. What would be unsatisfactory in that area would be more fiddling around with the boundaries and more shuffling of communities, which would have the inevitable effect of creating a riding that did not have a great community of interest.

I want to put on the record my concern that the commission, in any further dealings it has with the electoral boundaries in the Hamilton-Wentworth area, consider very seriously implementing either the status quo or its own recommendation in its report.

**The Acting Speaker (Mr. Morin):** The member for Halton-Burlington.

[Applause]

**Mr. Knight:** This is the second time since I have been elected to the House that I have risen to speak. Both times I have got some desk-thumping and I hope that continues throughout my long sojourn in the House.

I am pleased to participate in this debate on redistribution. I would like to preface my comments by sincerely thanking the members of

the commission for the work they have put into the recommendations we are debating. As they consider our concerns, I would not blame them for thinking that theirs has been a thankless task. However, we must provide them with our constructive comments and what we see as problems in their recommendations. That is what I want to take some time to do today. I want to comment on redistribution as it affects the region of Halton. Although I represent Halton-Burlington, I would like to look at the broader area so that my concerns regarding the proposed redistribution can be better understood.

Let me stress I am not concerned that there will be redistribution in Halton, but rather about how it would best be accomplished. I wish to present the history of the boundaries in Halton, the present setup, the proposed setup and what I consider to be a better realignment. Halton has always been able to have its ridings include only Halton residents. I want to state my pleasure that the commission has striven to continue that tradition by increasing the number of ridings from three to four while still using the regional boundaries to contain all four ridings, and it will be necessary to have four ridings.

Over the past 10 years, Halton has been one of the fastest-growing regions in Ontario, indeed, in Canada. However, simply to divide the region, perhaps on the basis of census tracts or some other arbitrary rationale, without looking at the demographics and the communities of interest that exist in the region, is not the proper way to ensure it is done in the best interests of the people.

I have talked to many of my constituents, those in my present riding and those in the area that will be included in what would be my new riding under redistribution. Without exception, they think a proposal including parts of the north Halton area with the more urbanized areas of either Burlington or Oakville does not make sense.

I sincerely believe that in the best interests of my constituents an alternative to the proposed new boundaries be considered. The demographics of Halton are such that rural Nassagaweya, which is in the northwest area, has more in common with rural Esquesing, which is in the northeast area, than with urban Burlington to the southwest. Also, rural Esquesing has more in common with Nassagaweya than with urban Oakville to the southeast. Urban Halton Hills and urban Milton have a commonality of interest that should not be split. North Halton, with its unique



rural-urban blend and community of interests, must remain united.

Even the other levels of government in the region and other service agencies have recognized this. For example, we have the North Halton Association for the Mentally Retarded, North Halton Volunteer Service, North Halton Hospice. Even the Halton Board of Education recognizes a north Halton educational area. A study on tourism by the region emphasizes the unique tourist potential of north Halton and its differences with south Halton.

I would go on, but any careful study of Halton region will clearly show that north Halton is distinct from the south and a homogeneous area from east to west. It has its own and differing issues: the Hydro corridor, aggregates, tourism. As much as possible, therefore, the communities of Milton and Halton Hills, which include the rural areas of Nassagaweya and Esquesing, should form one riding.

To ensure that the region is properly divided into four ridings, with which I agree, we should keep together in one riding as much of the area north of Derry Road as possible. The possible four ridings, if I may be so bold as to suggest to the commission, therefore, would be Halton North, the area north of Derry Road; the Burlington urban area; the Oakville urban area; and the balance could then be considered as Central Halton and could include that area on either side of Burloak Drive in the south end to ensure the population for that area would be equitable with the other three ridings.

I believe such a split would be in the best interests of all the people in Halton, and I encourage the commission to reconsider the recommendation.

**Mr. Treleven:** I am the big cheese, with Ingersoll in the good riding of Oxford.

I also wish to object to the last report of the commission on several grounds; first, with regard to the town of Tillsonburg, which is proposed to be taken from the county and riding of Oxford and put into the new riding of Norfolk.

In each of its reports, the commission has failed to give adequate consideration to the wishes of the residents of Tillsonburg, whom it has met, and in its own report lists many representations for testing a proposed separation of Tillsonburg from the Oxford electoral district. In fact, on page 3 of its report, it states, "Many representations were received protesting the proposed separation of the town of Tillsonburg, placed in the proposed Norfolk, from the

remainder of the county of Oxford, placed in the Oxford electoral district."

The town of Tillsonburg, in absolutely every representation from that municipality, stated it wished to stay with the county of Oxford. I will get back to the Tillsonburg situation a little later.

The second item to which I would like to refer is that the commission failed to give adequate consideration to the existing and traditional boundaries of the electoral district of Oxford, which has existed almost exactly in its present form since 1933 and, before that, goes back to 1867 as Oxford North and Oxford South.

Oxford county has a population in the area of 85,000. It is traditionally one county. Upon restructuring in 1975, it became the restructured county of Oxford. It is unique. It is the only restructured county in the province. It is not quite a region, but it is not a county.

Right now the federal riding of Oxford is the entire county. The restructured county also is Oxford. Currently, the provincial riding is all of Oxford county with the exception of Blandford and Blenheim townships, which are in Brant-Oxford-Norfolk. These are traditional boundaries. The commission has prayed at the altar of numbers and has totally forgotten the traditional boundaries and the closeness of the county and, now, the restructured county of Oxford.

**5:10 p.m.**

When Oxford county was restructured, several small townships joined together to become large ones. It has already been restructured; it has already gone through one upheaval in the last 10 years. It is not fair to take this unique municipality and tear it apart again. It has had its 10 years of trying to heal the wounds of the restructuring, and it is still going on in the areas of public utility commissions, etc.

The member for Stormont, Dundas and Glengarry (Mr. Villeneuve) and the member for Haldimand-Norfolk (Mr. G. I. Miller) referred to public health, library services, education systems, hospital services and garbage disposal. We in Oxford had the grandest garbage disposal and landfill site fight that could possibly take place. I notice the member for Niagara Falls (Mr. Kerrio) disagreeing.

**Hon. Mr. Kerrio:** Second to Niagara.

**Mr. Treleven:** Second to Niagara, he states. Perhaps we can compare notes on the difficulties for the last 14 years.

The landfill site situation is an example of the problems the restructured county is going through. Individual municipalities are responsible for the collection of garbage, but the

restructured county is responsible for the disposal of garbage. The proposed site, which is tied up in the courts at the present time, is only a few miles from Tillsonburg, which will be, under proposed plans, one of the large contributors to this landfill site. If it is no longer in the riding of Oxford, it will then be divided from the other municipalities of Oxford, and I suggest this is unfair. The entire municipal setup in all municipal services is as a county of Oxford.

The Tillsonburg regional hospital serves a great part of the southwest part of Oxford county. Separating Tillsonburg off into a new riding will damage the cohesion among the three hospitals of Oxford county.

With regard to numbers, I fully acknowledge that the provincial riding of Oxford now is nearly 80,000—and that is large—and that under the proposal, removing Tillsonburg and adding Blandford-Blenheim would reduce it only to approximately 76,000, still a large number. However, on page 3 of the report the commission has stated, in reaction to the plea that the entire county of Oxford be left as the provincial riding of Oxford, "The county's population of 85,920 is well above the population ceiling of 82,934." This figure is arrived at by taking the average population and then increasing or decreasing it by 25 per cent.

I would like to refer back to the original terms of reference of the commission. It states that several of the things the commission shall take into account, among others, are: "(a) community or diversity of interests; ... (f) existing boundaries of municipalities or wards thereof; (g) the existing and traditional boundaries of electoral districts." Then it talks about population. Population is only one of the approximately eight criteria by which the commission is to make its decision.

It goes on in the terms of reference for the commission, which date from June 16, 1983, in this House:

"And, subject thereto"—that is, to the other criteria above: existing boundaries, community of interests, etc.—"the population quota for each electoral district shall be based on the average population, but in determining such quota the commission shall not depart from the average population to a greater extent than 25 per cent more or less, except where"—and here is the exception—"in the opinion of the commission, any of the above circumstances exists to such an extent that they require a greater departure, in which case the commission may depart from the

average population to such greater extent as it considers necessary or desirable."

It has been suggested that this was possibly a reference that was put in there for northern Ontario. I submit that is not so. It was put in where the community or diversity of interests, the existing boundaries of municipalities and the existing boundaries of electoral districts override the population consideration.

During the hearings, at no point did anyone object to the numbers being greater than the average or greater than 25 per cent. There were no such objections. The question came up and I believe the chief commissioner, Judge Hughes, asked a question about that specifically and he was advised that was not a consideration of concern in Oxford. The fact that the restructured county of Oxford should remain as one overrode the population consideration.

Under the criteria set out by this House to the commission in 1983, I submit that the commission has the authority and the capacity to go beyond the average plus 25 per cent, so the entire restructured county of Oxford could be kept under one riding. It is a departure of fewer than 3,000 above the average plus 25 per cent.

In closing, because of the uniqueness of Oxford in being the dairy capital of Canada, in being the only restructured county in Ontario and in being the only county with a statue of a cow, a statue specifically built to Springbank Snow Countess, I ask the consideration of the commission for these reasons.

**Mr. D. W. Smith:** I am pleased to speak on this issue of the electoral boundaries commission. I represent Lambton riding, which is considered a rural riding made up of small towns and villages. Small towns and villages and rural people still represent a very important heritage to this great province. They play a major part in the economic growth of this province.

I have to agree with my colleague the member for Grey-Bruce (Mr. Sargent) and others. We cannot afford to dilute the voice of these necessary communities any longer. The very fact that we have agricultural land and woodlots within my jurisdiction means that we cannot have the numbers of voters that a city or mainly urban area would have, but we still deserve the right of representation for our people.

Over the years I have heard people from the cities in southwestern Ontario ridings say we have to maintain agricultural land and woodlots to help maintain a healthy environment. If we are to achieve these goals, therefore, we physically



cannot have the numbers of people the commission thinks should be standard.

The riding of Lambton is to be enlarged into an area that is in the process of municipal boundary between the township of Sarnia and the city of Sarnia now. In my opinion, that is reason enough there should not be a change at this time. The suggested boundary change by the commission would take in an area that would include part of an area within the city limits and part in the township area, which would then be represented by the member for Sarnia (Mr. Brandt) as well as the member for Lambton. This would only create more problems for the representatives of these two ridings, as well as for the people.

The new riding that is proposed by the commission would be larger by approximately 8,500 persons and made up of more urban people than rural, so the rural and small communities would be diluted further, which I feel we do not need at this time. I firmly believe the agricultural community plays a very important part in the economic system we have in place. If we take the rural voices from the Legislative Assembly, then there will be even fewer who will understand our contribution to society.

**5:20 p.m.**

I realize this is a complicated issue for the people who were appointed to look into changes of boundaries and more equitable voter representation, but I hope these appointed people do not forget that the family farm and small communities are still very important and we do not want them to be pushed further back into the woods.

**Mrs. Marland:** It gives me a great deal of pleasure to address the subject before us today, recognizing the importance it has to Mississauga, which is currently a city of 340,000 people but has only three seats in this House.

Naturally, the city of Mississauga is looking forward with eager anticipation to having additional representation at Queen's Park. We heartily endorse the addition of the fourth seat, but the subject of the boundaries has become quite a complex issue. That also happened when we dealt with the realignment of municipal boundaries at the municipal level and during the discussion of the realignment of federal boundaries.

Part of that problem comes from the history and the pattern of growth and development in Mississauga. Currently, most of the growth and development is going out to the northwest quadrant of the city. The riding I now represent with great pleasure is Mississauga South. At present, it has boundaries which are well defined

and fairly natural, one of them being the north shore of Lake Ontario. I respectfully suggest the commission cannot alter that boundary.

**Mr. Callahan:** Do not count on it.

**Mrs. Marland:** The boundary that is of concern to me today, and I share that concern with the member for Mississauga East (Mr. Gregory), is the Queen Elizabeth Way. This report of the commission proposes that the boundary be moved north and become Dundas Street at the point where it is east of Cawthra Road.

Since the reference the commission itself has developed wants to take into consideration the accessibility, size and shape of the region, of those three areas, I would personally see accessibility as being the most important. The Queen Elizabeth Way was originally built and officially opened in 1937 as a two-lane highway. Prior to that, it was obviously the horse-and-buggy track that connected the old town of York to the village of Port Credit.

The village of Port Credit is now an integral part of the city of Mississauga, having come through the growth as a town which is completely within the Mississauga South riding. The Queen Elizabeth Way today, at the point that it traverses the northern boundary of Mississauga South provincial riding, is six lanes. Obviously, a six-lane highway is a very natural delineation. It is also a tremendous impediment to accessibility of communities on either side of the six-lane highway.

Therefore, with respect, I would suggest to the electoral boundaries commission that it take into very serious consideration leaving the northern boundary of Mississauga South at the Queen Elizabeth Way. The area it has proposed to add to Mississauga South is a small residential area on the north side of the Queen Elizabeth Way. The population for my riding increases by about 6,000 people and, although I would welcome the addition of these 6,000 people because the majority of them are of the right political persuasion, in fairness to them there is no way in the words of the outline of the commission itself that they have a community of interests.

In fact, a diversity of interests is established even by this six-lane highway. The elementary school accommodation is different. The community activities are different. They do not share any services at the municipal level. The existing boundaries for the municipal boards that are covered in the ridings to which I have referred are also at the Queen Elizabeth Way.

In a review of the municipal boundaries for the wards for Mississauga, a number of revisions have been made throughout the city in the past 12 months, and they are in place for the upcoming municipal election in Mississauga. That boundary at the Queen Elizabeth Way was reviewed, considered and debated at great length, and it was decided to leave it as the boundary for all the reasons for which I am suggesting it remain the boundary provincially as well.

The representation a member of the Legislature makes on behalf of his or her constituents is the aspect that I think should be considered by the electoral commission. If the people of Ontario are serviced to the maximum ability of the elected representatives because the boundaries of their ridings facilitate the service of those people and the equity of distribution of population as far as possible, then those are the aspects the electoral boundaries commission should consider.

I feel very strongly that whether I gain 6,000 people in Mississauga South and Mississauga East loses those 6,000 is not nearly as big an issue or concern to those 6,000 people as is the question of how they are represented. If they can be represented better and more successfully by having the Queen Elizabeth Way remain as the boundary, because there is no relation between the two communities to the north and the south of it, then it would only make common sense that the boundary remain as it exists today.

The rest of my comments in support of the boundary for Mississauga South remaining at the Queen Elizabeth Way are outlined in my motion. I will not take the time of the House today to read that motion into the record. It will be in the record, I understand. I thank you, Mr. Speaker, for the opportunity to elaborate in some detail on the arguments for my community of Mississauga South.

5:30 p.m.

**Mr. Reycraft:** I want to take a few minutes this afternoon to address the second report of the Ontario Electoral Boundaries Commission. I want to place on the record my satisfaction and pleasure with the manner in which the county of Middlesex has been dealt with in the second report. I also want to exercise some liberty in expressing support on behalf of the county council of Middlesex, which will also be very pleased with the result.

The county council was extremely concerned when it saw the first report published by the commission, concerned to the point that it passed a resolution in March 1984 expressing its

concern about the proposal that would have divided Middlesex into three different areas, with each part becoming a portion of a different electoral district. The county council's opposition to that proposal was subsequently endorsed by municipal councils in every one of the 22 towns, villages and townships that make up Middlesex county.

The resolution further requested that the commission give serious consideration to establishing an electoral district with boundaries identical to those of the county. The county's population currently is approximately 66,000. It is recognized that this is slightly less than the objective. Last year I was honoured to have the opportunity to hold the office of warden in the county of Middlesex and in that capacity I presented the council's opinions to the commission.

There was concern at that time, and it has been expressed by others this afternoon, that far too much emphasis had been placed on the criterion of population alone in preparing the electoral map. Anyone who is familiar with the nature and needs of rural municipalities knows that many problems are created when a county or a region, particularly one that is rural in flavour, is fragmented and its areas attached to all or part of another municipality for electoral purposes. The problems created are problems not only for the electorate within the county or region but for the member who holds the responsibility of representing them as well.

If part of a largely rural county is joined to a large urban riding, and in particular if it represents a minority share in such a rural-urban constituency, the rural concerns generally tend to receive lower priority than those of the urban area.

The proposal now before us, the second report of the boundaries commission, will provide all the people in Middlesex with an opportunity to be represented by a single member. The proposal would see a small portion of the city placed within the riding of Middlesex to increase its population. It will allow the people of Middlesex county not only to maintain but even to enhance the very strong sense of community that now exists in Middlesex.

Like most rural municipalities, Middlesex has a great number of active and vibrant organizations of a rural flavour. I draw to the attention of the House as an example of that the Middlesex Federation of Agriculture, the Junior Farmers' Club, the 4-H organization and the Soil and Crop Improvement Association. That is just a small



number of examples of many organizations of that type which exist in the county.

All those organizations try to work closely with their representative in the provincial government. That co-operation will be much more productive if the county is organized as a single electoral district than it will be if they are required to share a member with part of the city of London. It is going to be more productive than if they are required to work with two or more members who represent all or parts of another county.

The people of Middlesex were very pleased to see that the previous proposal of the boundaries commission, which would have divided the riding into three areas, has now been abandoned. They hope, and I hope and strongly urge, that if there is to be any further change in the electoral boundaries of the province, there will be no change in the boundary as it relates to what is now proposed for the county of Middlesex.

**Mr. Brandt:** I am delighted to have an opportunity to participate in this debate, specifically to speak to the issue of the proposed changes in the electoral district of Sarnia. I would like to associate myself with the remarks made by my colleague the member for Lambton (Mr. D. W. Smith), who has indicated that he favours the preservation and continuation of the riding he now represents in its present form. I not only share those comments but endorse them entirely.

In the initial changes that were proposed for the electoral district of Lambton, which appears to be the problem with respect to our geographical area of Ontario, the proposals called for some additional changes to the boundaries that would all take place to the east and would involve the riding now known as Middlesex. Because there was some confusion about the county boundaries in those changes, the commission decided it would look further to the west, to the riding of Sarnia, to bring about some alterations and balance off the population inequities in a somewhat more acceptable fashion.

At the moment, my riding contains some 73,000 people, which is considered to be slightly above the average. In fact, it is not significantly higher than the average number desired by the electoral commission that is looking at this entire problem. The riding of Sarnia is primarily made up of an urban area, with a very small portion of Sarnia township, which is the rural section of my riding.

The change being proposed in the latest modifications that are being brought forward is totally unacceptable to me. It would call for the

loss of all or part of Sarnia township, which would be annexed to the riding of Lambton. That would redistribute some 20,000 people into the riding of Lambton. I would gain the township of Moore, which would net me an additional 10,000 people. Those changes would reduce the riding of Sarnia in size to approximately 65,000 and would increase the riding of Lambton to approximately 55,000.

If we were looking only at the issue of moving numbers of people around, I would not take issue with that proposal. Obviously, it would bring one riding up to a more acceptable number and it would reduce my riding by some 10,000 people, which would not move me significantly below the provincial average that is deemed to be desirable.

The main problem I see in that—and it was well identified by my colleague the member for Lambton in his very appropriate remarks earlier—is that it changes the very nature of the riding. Lambton is essentially and will continue to be, to all intents and purposes in the foreseeable future, a rural riding. My riding, however, is essentially an urban riding and for the foreseeable future will remain an urban riding.

Sarnia township is an outgrowth of the city of Sarnia. Most of the population is contained immediately on the easterly boundary. As I indicated earlier, a small number of people are residents of the remainder of Sarnia township and may be identified as being more rural in character.

**5:40 p.m.**

I think it is completely inappropriate and wrong to change a riding such as Sarnia, which at the moment is without problems, in order to correct a problem that exists somewhere else. To include Moore township in my riding, when it does not have the same community of interest as the Sarnia urban area, would simply be an improper move. It would not give the kind of representation to Moore that I believe Lambton is able to give it at present.

I might say the flip side of that is that I do not feel the proposal for Lambton would give the same kind of service or political representation that the riding of Sarnia can offer to Sarnia township at present. I would put forth a very strong objection to any changes or modifications that would sever all or part of Sarnia township.

That view is not singular on my part, but is supported by the township of Sarnia. I have a resolution I want to read into the record, dated December 17, 1984. It was moved by councillor

Peter Merchant and seconded by councillor Sam McCrea.

"Whereas there have been media reports of a proposal to revise provincial electoral districts, and whereas this proposal includes the suggestion to divide the electoral district which now includes the whole of the municipality of Sarnia township to remove therefrom a portion of Sarnia township:

"Now, therefore, be it resolved that the township of Sarnia takes grave exception to this proposal, since it would create an unnecessary and artificial division within the municipality, and be it further resolved that this concern be expressed to all members of the provincial Legislature."

I am doing that this afternoon, Mr. Speaker, to bring to your attention and that of our colleagues in the House this very real concern they have.

If I may take it one step further, I believe that if the commission is really concerned about the complications that arise from splitting county boundaries, which I have heard is one of its key considerations, it should be even more concerned and should look at the question in an even more critical sense when it starts to split municipal boundaries, because there is a cohesiveness at the moment within the township of Sarnia that its people wish to retain.

I might add that, as my colleague the member for Lambton is well aware, in the most recent annexation discussions, Sarnia township has been most vociferous in its objections to any changes that would occur within its municipal boundaries. Certainly its populace would not favour any changes that would change the riding of Sarnia as well.

In conclusion, let me simply state that the first changes proposed, which would include some modifications to the east of Lambton, would not meet with the same degree of objection from my part, but I understand they are being objected to by other members of the House. However, the second proposal being brought forward, which would include the removal of all or part of Sarnia township and the addition of more townships to my riding, is something I have to oppose totally, completely and unalterably.

I want to put that position before the House as one that I feel is fair and realistic in the light of the circumstances in my riding.

**Mr. South:** It is with pleasure that I take part in this ongoing debate in regard to the redistribution of Ontario into electoral districts. By way of introduction, I would like to commend the commission for its work on this monumental

task. Unfortunately, I was not involved in the hearings that took place in Kingston, but I am advised that those who appeared were quite impressed with the quality of the proceedings.

In reviewing the commission's report as it pertains to the riding of Frontenac-Addington, I believe there has been an error in fact. Furthermore, the report reflects a limited understanding of the opposing natures of the city of Kingston and the township of Pittsburgh.

The proposed change is to remove Pittsburgh township from the riding of Frontenac-Addington. The reason for this, to quote directly from the report, is: "The latter district"—that is, Kingston and the Islands—"is, even with the addition of Pittsburgh township, much more compact than the former, and to allow it to maintain a population over 7,000 lower than the population of Frontenac-Addington would be inequitable."

The reason given for changing the riding, according to this report, is based on two premises; one is equality in compactness and the other is equality in population.

In regard to the first, compactness, if, as the report indicates, a desirable objective is equality of compactness, then Kingston and the Islands, by having Pittsburgh township added to it, would still be considerably more compact than Frontenac-Addington.

By taking Pittsburgh township from the riding of Frontenac-Addington, its compactness would be improved only marginally by reducing the number of municipal councils to 22 from 23. The compactness in regard to the distance between the east and west and the north and south boundaries of Frontenac-Addington would not be reduced by removing Pittsburgh township from it.

**Mr. Sargent:** Give them hell.

**Mr. Speaker:** Order.

**Mr. South:** On an area basis, the compactness of Frontenac-Addington with Pittsburgh township removed would be improved by less than five per cent. In summary, the report's change would result in a very marginal improvement in the compactness of the riding of Frontenac-Addington.

In regard to equality of population, the second premise that the commission uses to adjust the boundaries, the report's proposal again is in error.

Taking the commission's desirable objective of developing ridings with populations close to the provincial average of 66,000, we make comparisons. Accepting the commission's pro-



posal would give Kingston and the Islands a population of 64,123 people, or three per cent less than the ideal, and Frontenac-Addington a population of 51,753 persons, or 22 per cent less than the ideal. Thus, Frontenac-Addington would approach the undesirable upper limit of 25 per cent divergence from the indicated desirable provincial average.

Leaving the ridings as they are would result in the following: Kingston and the Islands, 54,311, or 17 per cent less than ideal, and Frontenac-Addington, 61,565, or seven per cent less than the ideal. In other words, contrary to the report's assertion, to leave the ridings as they are would be more equitable on a population basis.

With regard to the political and social differences, severing Pittsburgh township from the rest of Frontenac county would totally disrupt the traditional political and social ties of the past 100 years. Pittsburgh township is and always has been part of Frontenac county, whereas the city of Kingston has always been separated from the county. The people of Pittsburgh township share common social, economic and political interests with the rest of Frontenac-Addington.

**5:50 p.m.**

The vast majority of residents in the township and in Frontenac-Addington own their own homes—that is, more than 80 per cent—whereas in Kingston and the Islands that figure is only 44 per cent. In Kingston, there are many university students, professors and staff of national institutions; these people tend to be more mobile in regard to place of residence, and many are apartment dwellers or renters. This is one of the basic areas where there is a divergence; that is, the renters as opposed to the house owners.

Basic differences in attitude and lifestyle separate the residents of Pittsburgh township from the residents of the city of Kingston. Pittsburgh township is essentially rural with no industry and limited suburban development. By its nature, its social and political interests are compatible with those of Frontenac-Addington rather than with the more urban interests of Kingston and the Islands. The presence of Pittsburgh township in the riding of Frontenac-Addington is traditional, comfortable and politically appropriate.

In regard to local rejection of the proposed change, on September 3, 1985, the council of the township of Pittsburgh, by resolution, unanimously opposed the removal of its township from the riding of Frontenac-Addington. In addition, the Joyceville Women's Institute and the Pittsburgh Township Women's Institute opposed the

removal of Pittsburgh township from Frontenac-Addington. These groups represent most of the families in this rural township.

In conclusion, removing Pittsburgh township would place the riding of Frontenac-Addington on a population basis very close to the point of rejection; that is, 25 per cent less than the provincial ideal. As stated above, to leave the two ridings of Frontenac-Addington and Kingston and the Islands is more equitable on a population basis than the proposed change. There would be no significant improvement in the compactness of the Frontenac-Addington riding by the removal of Pittsburgh township.

Severing Pittsburgh township from the riding of Frontenac-Addington would totally disrupt the political ties that have existed for more than 100 years. Pittsburgh township is part of Frontenac county, whereas the city of Kingston is separated from the county.

The community of interest for Pittsburgh township socially, economically and politically is consistent with that of Frontenac-Addington, not that of the city of Kingston. The best provincial political interests of the people of Pittsburgh township would be diluted and submerged by the city if it were placed in the riding of Kingston and the Islands.

Finally, as we would oppose the taking of a child from its mother, I am totally against the ripping of Pittsburgh township from its natural and proper place in the riding of Frontenac-Addington.

**Mr. Runciman:** I have a few brief comments. There has not been a large outcry in my area in respect of the latest proposal by the commission, but a number of people do have some concerns and I would like to put them on the record.

In terms of the criteria outlined for the commission, when it was arriving at the boundary changes—perhaps it is the fault of the Legislature—I do not think it took a close look at rural ridings in respect of the number of municipalities a member representing a rural riding is responsible for.

I have 15 municipalities in my riding, and the changes will add another four municipalities. I think the work load perhaps is not adequately recognized by the commission. As we all know, municipalities are creatures of the provincial government. Virtually everything they have to do requires some form of assistance or mandate from the province; so there is a work load that is not present in the case of a lot of members representing urban areas who have to deal with only one municipal government.

Another factor is that a member for a rural riding has a much higher profile than does a member for an urban riding. He is known and is expected to attend events in all the municipalities. If one represents 15, 20 or 25 municipalities, the work load can be heavy indeed.

**Mr. Haggerty:** You should get paid for it.

**Mr. Runciman:** That is right.

I am asking the commission to take those matters into consideration. There is also the question of travel. Many of us have to travel long distances to get around our ridings to attend events. The member for an urban riding does not have to contend with that.

Regarding my riding of Leeds, the commission is suggesting a new riding called Leeds-Grenville. It has left out two of the townships in Grenville county, and I think it has to take the matter of historical boundaries into consideration. People recognize Leeds and Grenville as part of the united counties.

Although on a personal basis I would prefer that the commission go back to its original proposal and leave Leeds as it has been, if it has to make a change I suggest it consider incorporating all of Grenville county rather than eliminating two townships, which will make it very difficult for many people in that area to recognize who their member of the Ontario Legislature is.

On motion by Mr. Runciman, the debate was adjourned.

## BUSINESS OF THE HOUSE

**Hon. Mr. Nixon:** I would like to indicate the business of the House for the coming week.

Tonight, we will deal with the report of the standing committee on procedural affairs and agencies, boards and commissions on television coverage of the proceedings of the Legislative Assembly with conclusion of the debate at 10:15 p.m.

Tomorrow, Friday, October 18, and on Monday, October 21, we will debate the motion on interim supply and, if there is time, we will resume the adjourned debate on redistribution, it is hoped to a conclusion.

On Tuesday, October 22, in the afternoon and evening, there will be second reading and committee of the whole house, if required, of Bills 38 and 27 standing in the name of the Minister of Municipal Affairs (Mr. Grandmaitre) and Bills 1, 7, 8, 11 and 14 standing in the name of the Attorney General (Mr. Scott).

The usual committees may meet on Wednesday.

On Thursday, October 24, the budget will be presented to the House at 4 p.m. In the evening we will continue with legislation not completed on Tuesday.

The House recessed at 6 p.m.

## ERRATA

No.	Page	Column	Line	Should read:
22	797	1	41	Dame de Lourdes de Cyrville.



## CONTENTS

Thursday, October 17, 1985

## Statements by the ministry

Elston, Hon. M. J., Minister of Health:

<b>Northern health services</b> . . . . .	832
<b>Blood testing program</b> . . . . .	833

Grandmaître, Hon. B. C., Minister of Municipal Affairs:

<b>Regional municipalities amendment legislation</b> . . . . .	835
--	-----

Kwinter, Hon. M., Minister of Consumer and Commercial Relations:

<b>Item pricing</b> . . . . .	835
-------------------------------	-----

Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:

<b>University excellence fund</b> . . . . .	831
---	-----

## Oral questions

Bradley, Hon. J. J., Minister of the Environment:

<b>Spills bill</b> , Mr. Brandt, Mrs. Grier . . . . .	844
---	-----

Conway, Hon. S. G., Minister of Education:

<b>Roman Catholic secondary schools</b> , Mr. Davis, Mr. Allen . . . . .	837
<b>Teachers' labour dispute</b> , Mr. J. M. Johnson, Mr. McKessock . . . . .	841

Elston, Hon. M. J., Minister of Health:

<b>Nursing home inspections</b> , Mr. Rae, Mr. D. S. Cooke . . . . .	839
<b>Nursing home inspections</b> , Mr. Rae . . . . .	842

Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:

<b>Ontario finances</b> , Mr. F. S. Miller, Mr. Foulds . . . . .	836
<b>Can-Car Rail</b> , Mr. Foulds, Mr. Hennessy . . . . .	845

Wrye, Hon. W. M., Minister of Labour:

<b>Mississauga transit labour dispute</b> , Mr. Offer . . . . .	843
<b>Employee health and safety</b> , Mr. Gordon . . . . .	846

## Petitions

<b>Ambulance labour dispute</b> , Mr. Haggerty, tabled . . . . .	847
<b>Objections to film</b> , Mr. Shymko, tabled . . . . .	847
<b>Roman Catholic secondary schools</b> , Mr. D. R. Cooke, Mr. Partington, Mr. Reycraft, Mr. Offer, Mr. McCague, tabled . . . . .	847
<b>Sale of beer and wine</b> , Mr. Guindon, tabled . . . . .	849

## Motion

<b>Committee sittings</b> , Mr. Nixon, agreed to . . . . .	849
--	-----

**First readings**

<b>Human Rights Code Amendment Act</b> , Bill 37, Ms. Gigantes, agreed to .....	849
<b>Municipal Elections Amendment Act</b> , Bill 38, Mr. Grandmaître, agreed to .....	849
<b>County of Elgin Act</b> , Bill Pr24, Mr. McNeil, agreed to .....	849
<b>City of Sudbury Act</b> , Bill Pr27, Mr. Martel, agreed to .....	849

**Government motion**

<b>Electoral districts redistribution</b> , resolution 4, Mr. Elston, Mr. Sorbara, Mr. Ashe, Mr. G. I. Miller, Mr. Villeneuve, Mr. Morin, Mr. Dean, Mr. Knight, Mr. Treleaven, Mr. D. W. Smith, Mrs. Marland, Mr. Reycraft, Mr. Brandt, Mr. South, Mr. Runciman, adjourned .....	850
--	-----

**Other business**

<b>Blue Jays</b> , Mr. Brandt, Mr. Speaker, Mr. Peterson, Mr. Rae, Mr. Stevenson, Mr. G. I. Miller	829
<b>Death of Robert M. Johnston</b> , Mr. Bradley, Mr. F. S. Miller, Mr. Foulds, Mr. Partington	830
<b>Member's marriage</b> , Mr. Nixon .....	831
<b>Members' anniversaries</b> , Mr. F. S. Miller, Mr. Speaker .....	847
<b>Answers to questions in Orders and Notices and responses to petitions</b> , Mr. Nixon. ....	849
<b>Member's comments</b> , Mr. Runciman, Mr. Nixon, Mr. Speaker. ....	849
<b>Business of the House</b> , Mr. Nixon. ....	866
<b>Recess</b> .....	866
<b>Erratum</b> .....	866

**SPEAKERS IN THIS ISSUE**

Allen, R. (Hamilton West NDP)  
 Ashe, G. L. (Durham West PC)  
 Bennett, C. F. (Ottawa South PC)  
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
 Brandt, A. S. (Sarnia PC)  
 Callahan, R. V. (Brampton L)  
 Conway, Hon. S. G., Minister of Education (Renfrew North L)  
 Cooke, D. R. (Kitchener L)  
 Cooke, D. S. (Windsor-Riverside NDP)  
 Davis, W. C. (Scarborough Centre PC)  
 Dean, G. H. (Wentworth PC)  
 Edighoffer, Hon. H. A., Speaker (Perth L)  
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
 Foulds, J. F. (Port Arthur NDP)  
 Gigantes, E. (Ottawa Centre NDP)  
 Gillies, P. A. (Brantford PC)  
 Gordon, J. K. (Sudbury PC)  
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
 Grier, R. A. (Lakeshore NDP)  
 Guindon, L. B. (Cornwall PC)  
 Haggerty, R. (Erie L)  
 Hennessy, M. (Fort William PC)  
 Johnson, J. M. (Wellington-Dufferin-Peel PC)  
 Johnston, R. F. (Scarborough West NDP)  
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)  
 Mancini, R. (Essex South L)



Marland, M. (Mississauga South PC)  
Martel, E. W. (Sudbury East NDP)  
McCague, G. R. (Dufferin-Simcoe PC)  
McKessock, R. (Grey L)  
Miller, F. S. (Muskoka PC)  
Miller, G. I. (Haldimand-Norfolk L)  
Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
(Brant-Oxford-Norfolk L)  
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)  
Partington, P. (Brock PC)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental  
Affairs (London Centre L)  
Rae, R. K. (York South NDP)  
Reycraft, D. R. (Middlesex L)  
Runciman, R. W. (Leeds PC)  
Sargent, E. C. (Grey-Bruce L)  
Shymko, Y. R. (High Park-Swansea PC)  
Smith, D. W. (Lambton L)  
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development  
(York North L)  
South, L. (Frontenac-Addington L)  
Sterling, N. W. (Carleton-Grenville PC)  
Stevenson, K. R. (Durham-York PC)  
Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
Turner, J. M. (Peterborough PC)  
Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wrye, W. M. (Windsor-Sandwich L)





A20N  
61  
D23



# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Thursday, October 17, 1985

Evening Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC




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## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 17, 1985

The House resumed at 8 p.m.

## TELEVISION IN LEGISLATURE (continued)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the report of the standing committee on procedural affairs and agencies, boards and commissions on the television coverage of the proceedings of the Legislative Assembly.

**Mr. Breagh:** A number of us have actually had this debate many times on how we would go about providing television coverage of the proceedings here, whether we should have it and exactly how we would do it. It is an auspicious occasion, because we are now on the verge of doing that.

This House, during its summer session, did not really direct the procedural affairs committee to investigate whether we do or we do not, that question really having been resolved, so the question before the committee was exactly how we would go about televising the proceedings. We were happy to take on that task and we had a good deal of assistance on the way through from other jurisdictions that have already made this a reality in their chambers.

**Hon. Mr. Nixon:** How do they do it in Stuttgart?

**Mr. Breagh:** We have not had an opportunity to look offshore yet, but I expect we will be directed by the government House leader to do just that somewhat later on.

**Hon. Mr. Nixon:** How would the member like to take a look at Wawa?

**Mr. Breagh:** We have already been to Wawa.

It is an interesting exercise. One of the things we noticed as we had a chance to compare, for example, two systems in the Canadian experience that are really quite different—one used at the federal House of Commons and the other used at the provincial Legislature in Saskatchewan—is that the technology is changing pretty quickly.

Many of us were impressed with Saskatchewan, and let me start with that as an example. It is a place that has combined several things that we

thought were worth considering and that we did consider very strongly in the report. First, they use the best available technology. That technology is changing rapidly and it solves some of the problems that members are very much aware of.

One of the things we decided initially is that this is really not meant to be entertainment; this is not television production. This is meant to provide a television record of the proceedings of this chamber, so we have a different purpose in mind than do, for example, the news crews who visit us in this chamber now.

It is our purpose to provide people in Thunder Bay, all through the north, in eastern Ontario and in southwestern Ontario with the exact same opportunity to follow the proceedings of the Legislature as someone who happens to live in Toronto, who can drop into the chamber, sit in the gallery on an evening like this and see what is happening to a certain bill, what is happening to a committee report or just what is going on in the Legislature of Ontario.

We recognize that this thought is different for this House, which has happened on a few occasions but not many, and that will change the nature of this parliament. This will be a chamber where people will have access to us. They may not be in the gallery physically, but they will be able to sit at home, tune in a local television station and see what is happening to something that is of interest to them.

It will point out to members that, like almost everybody's city council and like our federal Parliament in Ottawa, this access means that people know what we are doing a good deal more. That has good and bad about images, imagery and the effect of television generally, and it will change in some way the tenor of this Legislature. It will not be quite so relaxed, I am sure, on some evenings. We think it will be something to which everyone has access. We worked very hard throughout the report to see that, in as many ways as is physically possible, the theoretical access to the process is the same for everybody, no matter where they live.

If a change in the Professional Engineers Act is going through the Ontario Legislature, an engineer in Thunder Bay will be able to follow that just as easily as an engineer who lives in Toronto.

They will both see where it is in debate in the House and possibly have an opportunity to follow it through even clause-by-clause stage in committee.

Of course, in bits and pieces we have done all of this here. Over the summer, for example, the standing committee on social development has been televised and people have watched and reacted to that. There have been occasions when full debates of the Legislature, such as the one we had on the Constitution, were televised completely by TVOntario. We are all aware there was an impact. When we talk to people in other jurisdictions, they relay that message to us. They tell us people follow it. They do not watch it for entertainment purposes, but there are literally hundreds of thousands of people who have an interest in what transpires here during the course of a legislative working day.

What we tried to do with the report was to say, "We really ought to blend the new technology of automated cameras and different kinds of lighting systems with the needs of the people of Ontario who want to see what the legislative process is all about."

It is a very simple fact that is also a little difficult, and I would predict we will have some of our more serious problems about it. This is also a place where 125 people work, so to speak. A work place cannot be a television production studio. No anchorman on national TV spends seven hours under glaring lights during his or her work. They spend much shorter periods. Frankly, we cannot live with a system that would put lights, into this chamber which members could stand for only half an hour at a time. We could not continue to do our work as legislators.

Therefore, there is a blend of things all going together which have to be sorted out. We believe it can be done. In the federal House of Commons, we saw a process of televised procedures which has had a major impact on Canadian policy and people's awareness of their Parliament. We think that is great.

In Saskatchewan, we saw a technical system which provides lighting which is no more bothersome than the lights that are now on in this chamber, and the television lights are not on. It provides a system which is functional, which is what we are trying to get.

We are somewhat concerned that use of the television process must really make an end product which is accurate. One of the things of which we are aware, and the federal House of Commons is also, is that its initial guidelines on how the coverage would be transmitted do not

always tell people watching at home exactly what is happening. It has a very restrictive system of providing the television coverage, particularly anything having to do with what type of shots are taken and who is recognized by the Speaker.

When we were there, we spent an interesting session with its production people. We saw what might be called outtakes in another circumstance—that is, bits of film that had been taken by camera crews—which pointed out some of the problems. There was one, which I will use as my only example, in which the Speaker was in the process of naming a member. Unless one happens to be a fan of parliaments, one may not even know what it means to have a member named. However, that is the picture that was used.

The picture that was on the screen all the time was that of the Speaker of our national Parliament calling for order. At no time, oddly enough, was the member who was named ever named. We never found out which member was being expelled. We never saw him being expelled from the chamber. We did not find out why he was being expelled by the Speaker. For a long time, we just had the chance of seeing a very distinguished gentleman in a black robe calling for order. The telecast did not really explain the circumstances around that.

#### **8:10 p.m.**

When we put together our guidelines, we were impressed with some of what we found in Saskatchewan. One of the things that Legislature did in its chamber was to say: "You need to have a set of rough guidelines put together by members of the chamber. You need to keep in contact with them and review those every once in a while to see that the television picture that is put into people's living rooms is one they can understand." They used visual aids a great deal to explain the process as to where it was, what this bill meant, and what stage it was at.

I dare say there are people who cover this Legislature every day in their working hours, working for television stations and newspapers, who cannot do that, who cannot tell what second reading of a bill means, who do not know what clause-by-clause debate is all about, who have never been to many of our committees and do not know what committees do, who have not seen the workings of the wonderful Board of Internal Economy and who do not follow the process in this chamber.

It is not their job to do that. Their job is to gather a news story for that day. That is why they are employed and why they are here. Once they



have captured the main news story of the day, their work day is literally over. There are a lot of occasions when one can pick it out and say they were around for a budget speech or they came back when something happened late at night; that is true.

The purpose of the cameras in the gallery is not to record the proceedings of the chamber. They are here for news-gathering purposes. We want to make that distinction. For our purposes, in a nutshell we are trying to present to people equal access to accurate television proceedings of the Legislature.

We said that ought to be extended to our committees. That is not to say every committee ought to be on television all the time. We do not pretend that for a moment. However, we are aware that occasions arise, as we have seen over the summer, when the work of a committee is important enough to be televised. We said that when a system is set up it ought to have the capacity so that we can agree among ourselves that people should have access to certain hearings by providing one of our committee rooms with proper equipment so they can have that access.

Let me try to summarize some of the principles behind our deliberations. The principle of access is the most important. There is the principle of accuracy. The end product must be something people can readily understand. This is not a television production of the proceedings here. The first thing is to provide an accurate reflection of the business of the House by means of television.

A number of things we said are kind of ancillary. We admire the use of the capacity for televising the proceedings in the federal House of Commons to be integrated into other systems. We are aware that other systems are on the verge of being presented to members here, such as computerization. There should be some capacity to have them at least compatible so that can be exercised.

In the report, we tried to reflect that this is not Saskatchewan or the federal Parliament and that it is our task to try to put in front of the members tonight something that works for us, and I think we have done that. In the main, it is an automated system but none of the systems we saw was totally automated. All require some hands-on operation. We believe there is considerable strength in the automated system in cost savings, operational costs in particular, but there will always be a need for people to run the machinery.

If I could characterize the recommendations we made around equipment and the type of operation

we would run, it ought to be lean and mean for starters. It is not a good idea to run out and hire a huge production capacity that is never used. We have seen that in other jurisdictions.

We should start with a basic state-of-the-art process that has the capacity to keep the records for posterity. We should give everybody equal access to the broadcast mechanism, such as providing some signing or closed-captioning for those who have a hearing impediment and by making sure that francophones can understand what is going on in the proceedings here; that should be recognized. All the basic principles around access are grouped in and out of this report.

We tried to present our best estimate of how we might go about this process. We want one that is fair and reasonable. That extends to some things which normally would not be the consideration of a parliamentary committee. We recognized that if the seating arrangements in the chamber provide that one of our members is stuck in a corner where no television camera yet designed can pick him up, and where no lighting system we can think of will provide him with the same fairness as someone in the front row in the middle of the chamber, that is unfair and should not exist.

Those kinds of things may not be high on our list, but we did try to recognize them. We recognized even simple things. The sound system in this chamber, which is not exactly the world's greatest, probably does have to be upgraded and integrated into the system. We recognized that members were adamant about the idea that this has to be a place where you can work for six or seven hours at a time, as many of our members do. That, in a nutshell, is what this committee recommended in its report.

Before I sit down this evening, I want to thank a lot of people who attempted to give us good information on short notice. They include people in the public sector, in the private sector, in the press gallery, at the House of Commons and in Saskatchewan, people who were very open about the problems they had encountered and the information they had, and we have provided some of it in here.

We cannot tell the House exactly what the cost will be, so we have provided in here the cost of the Saskatchewan experience, which is the most recent one and the one that is probably closest to what we are recommending.

Two staff people, Smirle Forsyth and John Eichmanis, worked very hard to put together a report for which, in other jurisdictions, people

hired consultants at a couple of hundred thousand dollars to spend a couple of years putting a report together. These two people essentially sat with the committee of the Legislature during the summer and listened to what people on the committee had to say. They listened very accurately, I might say, and put the report together in a hurry in a format that I think is good and is very much like the kind of process we want.

I want to thank those people in other jurisdictions who were so happy to share their experiences and their information with us.

We think we have provided the members of this Legislature with a good report, one that is basic, common sense on how we would go about it. It has essential principles about access and fairness to the members and to the people back home, with a clear recognition that this is not meant to be an entertainment package, that it is meant to be an information service so that people who may not be able to subscribe to Hansard and may not want to read it all will at least have the same opportunity in their own homes to find out what is happening at the Ontario Legislature as they have with their city council or with the federal Parliament. That is at the heart of this report; that is essentially what we tried to do.

I welcome the occasion to have this debate tonight and I want to close with one final notation. We felt, and we made it one of our recommendations as we went through our deliberations, that this chamber belongs to these members. It belongs to the people of Ontario in a larger sense, but this is a decision that ought to be made by the members of the assembly. They ought to debate this report tonight, and I hope that at about 10:15 this evening we will have our chance to do that. This kind of fundamental decision, and it is fundamental, on the kind of information flow that goes from Queen's Park to the people of Ontario is one that should be made by all members.

In that regard I want to make sure that all members have a chance to speak to this report. It is obviously something I feel very strongly about and have felt strongly about for a long time. It is a concern that is shared by a number of members here and I want to make sure they have the opportunity to speak to that.

I welcomed the opportunity to do this work with this committee. I really want to thank the members of the committee, some of whom, quite frankly, are not all that enamoured of the idea of televising the proceedings. But the House having said it wants to do it, they then proceeded to do

the work that was assigned to them by the assembly, which was to lay out in report form how we would go about this, what the principles would be and roughly what it would look like.

This job is not finished yet, not by a long shot. This is the beginning of the process. There are people like the Board of Internal Economy who will have a lot of work to do. There are people who will have to advise us on the specifics in the technology that ought to be used here. But I do feel confident that this will be a decision of this Legislature, as I have always felt it ought to be; that it will be done in a commonsense, straightforward way, as I have felt it always ought to be; and that it will be done, which is something I am immensely grateful for.

It now appears from the recommendation of the committee that we have a test period this fall, that we get a chance to see whether these guidelines work or do not work and whether members are happy or unhappy with them, and that it will be possible by the beginning of the spring session to provide the people of Ontario with complete access to their legislative program.

I believe it will be good for the members, although they might be a bit awkward with it initially. I believe it will be beneficial to the people of Ontario, and I believe quite frankly that it will help the democratic process in this province.

**8:20 p.m.**

**Mr. Mancini:** I am very pleased to have an opportunity to take part in the debate on the report prepared by the standing committee on procedural affairs and agencies, boards and commissions. That committee was given the responsibility of preparing a report to table in the Legislature.

We have done it, I believe, with the utmost speed and with a good deal of skill, because we have relied upon the people in the Legislature and people in other legislatures who have helped us. As the chairman said during his speech, we have certainly appreciated the work that they have done on our behalf.

When we look back at the issue of TV Hansard in the House, we know, we see and we are aware that the government that held power until May 2 was firmly against establishing a TV Hansard. They were firmly against having any kind of TV coverage in the House unless it was for their own throne speeches and for their own budgets.

It bothered me a good deal when the government knew full well that the TV coverage in the House was not what it should be because of the



placements of the private cameras in the Speaker's gallery. Because of the nature of politics and the nature of news, many of the reporters who work with the private sector had to leave on many occasions before the end of question period. They had to leave when they felt a major story was breaking.

Many of the things that were being done and said by other members were just not as newsworthy. This information, although very important to one's individual constituency or to a large segment of the people, never got on air or was never able to be seen by a member's constituents because of the nature of news and some of the other things I have described.

It bothered me a great deal that whenever the government had to announce a throne speech, it would bring in Rogers Cable TV, which would set up ugly apparatus that would be placed just behind where the member for Mississauga South (Mrs. Marland) sits and other ugly apparatus that would be placed on the opposite side of the chamber.

They would ensure that the throne speech, the government's statement to the people on what it believed in, would get wide coverage. When it was time for the Treasurer to introduce his budget, they would also ensure that these cameras would be brought in and that the budget would be covered from start to finish. The government used TV to further its own ends and for its own purposes.

I have always rejected that unfair way of sending information to the public. It was biased and unfair and did not give an opportunity to the leaders of the opposition parties to be shown in a similar fashion. As soon as the government speeches were done, they took down the towers and out went the cameras.

Things have changed. May 2 has changed a lot of things. We are going to keep our promises. One of the main promises made by the Premier (Mr. Peterson) was that we were going to open up this system of government and that the people of Ontario would have access to what we are doing here on a daily and regular basis, whether the Tories like it or not.

**Mr. McLean:** At what cost?

**Mr. Mancini:** Somebody asked, "At what cost?" Does the member who asked that know what it costs to print Hansard, something that we have done for the last half century? Would he be in favour of eliminating Hansard because of its cost? Yes or no? Speak up.

Was the member who asked, "At what cost?" opposed to the government's \$80-million adver-

tising program last year. When the Tories were promoting themselves, the cost did not mean anything, but now that we want to show the whole Legislature in action the member asks, "At what cost?" It will be far less than the \$80 million those people spend on themselves, and everyone will be treated fairly, as stated in the guidelines adopted by the committee.

I want to congratulate my colleagues who served on the committee. For the most part, as is the custom on the procedural affairs committee, nonpartisanship held the day. That is one of the reasons we were able to get a report done in a such a reasonable time and at almost no cost at all, as the chairman said earlier. We wanted to introduce a system in this province that would allow the majority of the people to witness what is happening here and to make up their own minds as to who and what issues are of most importance to them.

When we look at schedule A of the report done by the committee, we see this committee has tried to be fair to all members of the House. Many of the recommendations in the report stipulate over and over again that when TV Hansard finally comes to the Legislature, it has to be and must be fair to every single member of the House.

That leads me to one point I wanted to have inserted under the description of television guidelines which we discussed in the committee. I brought to the committee's attention that I would be opposed to split-screen shots, with the photo of one member on one half of the screen and the photo of another member on the other. I say that because of the unfairness it would bring to individual members.

It would also be unfair to the director of TV Hansard because he or she would have to decide at a moment's notice who should be on the split-screen shots. The director would have to decide what question from the opposition or what minister should be shown on split-screen shots. There may and there will be a lot of unfairness in that situation. How would the director of TV Hansard decide and who is the director of TV Hansard to decide who is to be on split-screen shots? We are asking for nothing but trouble unless we prohibit that type of activity.

**Mr. McClellan:** Let us try it and see.

**Mr. Mancini:** That is fine, but why should someone employed by the Legislature be put in that kind of position? The member for Bellwoods (Mr. McClellan) might rise and ask a question of vital importance to his constituency. Maybe he would want to be on a split-screen shot, but the

director of TV Hansard might feel it was not an earth-shattering provincial problem and not show the member for Bellwoods, but someone else following the member for Bellwoods might be on that split-screen shot. That would be unfair to the majority of the members.

I am proud that in this report we stated over and over again that we wanted it to be fair for each and every member. That is why we do not think it is fair for the member for Windsor-Riverside (Mr. D. S. Cooke) to be in the position he is in, stuck in the corner where, no matter what he does or says, the TV cameras from the Speaker's gallery will never be able to focus on him. We suggested we should possibly go to four rows of seats in the Legislature instead of three because we want to be as fair as we can to every particular member.

As we go along, I hope we will see the built-in unfairness of that situation. I can see right now what is going to happen. The leaders of the two opposition parties and maybe now and then a particular member would be on a split-screen shot, but I highly doubt the majority of the members of the Legislature would ever have that very dramatic opportunity. That particular proposal, which was not included in schedule A and which would prevent split-screen shots, is also in contravention of some of the other things the committee said it believed in.

The committee said over and over again, "We want to report what actually happens in the Legislature factually and without editorializing." As soon as we get into split-screen shots, we start to introduce all kinds of drama at the whim of the director, who is going to be under all kinds of pressure from members of the Legislature from all sides of the House. They are going to ask, "Why was I not on a split-screen shot?" I think every one of those cases will be legitimate.

I want to touch in more detail upon the cost of the electronic Hansard because I think it is important. I must apologize for not having been able to go with the committee when it went to Saskatchewan and Ottawa, but I had already seen the setup in Ottawa, in Quebec and in Alberta.

It has to be absolutely clear to all members of the House that the figures we used in our report for the Saskatchewan Legislature television broadcast system costs were 1982 figures. They are outdated. As a matter of fact, the \$1.5-million figure we used for the cost of the purchase of that equipment may be only half of what we need. We have to be realistic and up front with ourselves. It is going to cost a lot of money—not nearly as much money as it cost in

Ottawa and in Quebec to set up similar systems, but certainly more than the Saskatchewan Legislature paid for setting up its own system.

If we truly believe the Legislature's business is the business of the public, then this is one of the genuine costs that has to be borne to ensure that our business is indeed public.

I will take only another five minutes. I want to comment on something that was touched on by the previous speaker, namely, the working conditions for members of the Legislature. All of us know just how terrible the lighting system is in here now. It is somewhat improved in comparison to what we had two or three years ago, which was a kind of three-eyed monster tied up against the middle posts of those beautiful arches with some chicken wire.

I find it really hard to believe we did that to the Legislature. In trying to improve the lighting situation, we bored four big holes into our historic building, so that instead of having three-eyed monsters looking at us, we now have two-eyed spotlights that look like the front of an old Ford. Since I drive an old Ford, I know.

That really brings us to a main point of contention. The lighting system has to be efficient. It has to be done in such a way that the members can work in here for several hours at a time. In contrast to the previous government, which after question period or in the evening rarely had more than two or three members sitting in their seats, with the new government we rarely have fewer than 15 or 20 members in their seats. They are here for three, four and five hours at a stretch, and it is difficult to work under these conditions.

I am very pleased that the committee stressed very strongly that it wanted a lighting system that provided not only adequate lighting for the cameras, but also decent working conditions for members. With the health and safety laws we have in this province, I am absolutely sure that if any member had put in a complaint to the health and safety division of the Ministry of Labour after those original three-eyed lights were put up, they certainly would have had to be taken down.

That leads me to the next point, the integrity of this chamber and of this building. It may be recalled that when the lights now in place were put in place some time ago, I rose on a point of privilege and objected because I felt the Speaker had not been consulted enough and we were not showing enough concern for the integrity of this chamber and this building.

This building is going to be here for a long time. It has already been here for a long time. It is



going to serve many more generations. We want to preserve the historic nature of this building. That is why when we come forward with the final plan that says X number of cameras and a certain amount of lighting will be put in place, it should be done knowing full well that we must protect the integrity and the historical nature of this building. We owe that to the general public of Ontario.

In closing, I would like to say I have enjoyed my work with the members of the procedural affairs committee. They are a hard-working lot. As was said earlier, we have prepared a report in less than three months' time. I think the chairman was absolutely correct. We could not have hired a consultant to do it for less than \$200,000. I know what it cost to hire a consultant to put those clocks on each side of this chamber. That is not the cost of the lights, just the cost of the consultant. It was absolutely horrendous. I was shocked when I found out the cost.

I believe we are moving into a new era of politics. I believe the people of Ontario, like the people in many other parts of Canada, are demanding to see their Legislature in action. We want to ensure that happens.

**Mr. Gillies:** They are battering down the doors.

**Mr. Mancini:** I want to say to the member for Brantford that there are more than 300,000 people in Windsor and Essex county. Very few of them will ever have the opportunity to visit this chamber or see the Legislature in action. I think we should give them that opportunity. I do not think we should in any way balk at giving them that opportunity.

I know that former bachelor, the member for Elgin (Mr. McNeil), agrees with me entirely. How could he do it? That is my only question. Anyway, I wish him all the very best.

I have enjoyed working with the committee. I think we have produced an excellent report. I believe we are finally going to have television Hansard. I want to stress again that the reason this has happened, the reason we have this report and the reason we will have TV Hansard in the House is entirely because of what happened on May 2.

**8:40 p.m.**

**Mr. Sterling:** I am very pleased to participate in this debate and to continue the nonpartisan remarks of the preceding speaker. In the light of the nonpartisan nature of the committee and the fact that we were all members of that committee, I appreciate we were all approaching this as a new parliament and we were looking at new ideas

with the idea of looking ahead and not looking backwards to what we thought about old ideas and old things. This party is not looking back. This party is looking forward. This is the new Progressive Conservative Party.

**Hon. Mr. Nixon:** And the member is a new candidate for leadership.

**Mr. Sterling:** I enjoyed the part of the summer I spent with my colleagues dealing with this issue.

Interjections.

**Mr. Sterling:** Mr. Speaker, I am having trouble with the hecklers in the front row.

**Hon. Mr. Kerrio:** That is the new Conservative Party.

**Mr. Sterling:** Right. At any rate, I enjoyed very much the meetings we did have. We had some very fruitful meetings with a number of people from across the country. We also met on other issues, and I want to mention that the procedural affairs committee, when meeting on other issues, did have the opportunity to travel to two other state legislatures as well as one other provincial legislature. In doing that, as members of this Legislature, we have a very deep responsibility to see that something is done about this building.

Now that we are starting the renovations, if you want to call them that, by putting this facility into the Legislature, we should be very careful how we do it so, as the previous speaker mentioned, we not only retain the integrity of the building but also improve the building and when the people of Ontario come here, they will feel proud that this is their building.

There was a suggestion by one of the previous speakers that all members of the committee who were there did not agree that electronic Hansard was going to come about. As the Speaker well knows, since he was a member sitting on that committee, all the members of this party went into that debate knowing full well that electronic Hansard was going to come about. We fully supported it during the discussion. I do not believe we ever put up any kind of argument that it was not going to happen. We looked at it in a positive sense, looking towards the very noble goal, as explained in the report, of providing access to this place to as many people in Ontario as possible.

I want to deal with the report and the activities of the committee in three sections. First, I want to talk briefly about the mechanics of this installation. As we learned in Saskatchewan—and I want to emphasize this, because it may be a temptation

in terms of cutting the installation costs—it is very important that the cameras, as recommended in the report, be recessed into the wall or into a particular area, so they will not be evident to the eye unless one is looking hard for them. They did a very good job of that in Saskatchewan.

Second, as mentioned before, our members—I should not speak for all our members—I felt, if I had the choice between having television and putting up with the glare of the lights that we now experience during question period, while I support very strongly the installation of TV, I am not willing to work under those conditions for long periods of time. It is very much a condition of my support tonight that the lighting be done correctly so the working conditions of each and every member here are such that we can stay in the Legislative Assembly for more than an hour without getting a headache.

**Hon. Mr. Nixon:** Is it what the member sees or what he hears that gives him a headache?

**Mr. Sterling:** I am always willing to listen to good ideas.

The cost estimate on this installation has been banded about at \$1.5 million, perhaps \$2 million, or whatever. I think that cost estimate is probably quite low. If it is found that the installation of this electronic Hansard is 10 or 15 times that kind of a cost, then I might have some reservations about going ahead with it at this time. However, I am going on the basis that the cost is in the neighbourhood of \$2 million.

There is one thing we did not consider in the report, and I was thinking about it today. I hope the people who install this system and set up the control room will have the public in mind when they do so. The control room in Ottawa is located above the House of Commons in a corner and is not very accessible by the public. I guess the original thought was that the people in the control room would have an opportunity to overlook the House of Commons in case there was something they wanted to see by their eye rather than by the television eye. In Saskatchewan, the control booth is in a very small room adjacent to the Legislature.

When people come to Queen's Park, they like to see this legislative chamber and some of the paintings around here, but there is not much else for some of the children and other people who come here to look at. A lot of them would be fascinated with seeing how the television coverage is being taken care of and would enjoy visiting the television control room. I hope the people who are involved in the implementation of this will take into account the location of the

control room and will allow for the possibility of the public coming to see what is taking place in terms of the television coverage of our debates.

The second consideration, after dealing with the mechanical part of the setup, is the distribution of the electronic Hansard. The committee felt that all it could say was that we wanted it to get to as many people as possible, because it was not determined on our part whether the distribution was our responsibility or somebody else's.

Our first responsibility is to record electronically what goes on in here. As to whether it gets to a constituent in Prescott or wherever, I would like that to happen, but that may be a very costly thing to do. When we are breaking down the costs of this, we have the capital cost of setting it up, and then we have another, very large undetermined cost of distributing the product we are going to produce here. I believe it is correct and proper for the committee to have left it up to the Board of Internal Economy to decide how far it wants to go.

I might add that if the will of the Legislature is to see that every person in our province has an opportunity to view this, I will support that most wholeheartedly. As the Speaker knows, in many of our rural areas we do not have the luxury of cable television, and in some places, such as in eastern Ontario, we do not even have the luxury of educational television and that sort of thing.

**Hon. Mr. Nixon:** What do you do on a long winter evening?

**8:50 p.m.**

**Mr. Sterling:** We work awfully late in eastern Ontario to make up for the advantages the farmers have in western Ontario.

The last part I would like to speak about, and I spoke on it at some length in the committee, is the rules that are going to be put in place to control this coverage in the Legislature. During one committee hearing, I used the word "censorship." Immediately the press picked it up and said, "Sterling is in favour of censorship."

What we have to examine, and what was perhaps not debated and understood fully by the members, was: "Is this room in which we are now sitting a special place in Ontario, or is it like sitting outside of this room, being on the street, in an auditorium or wherever?" My argument was this: When we bring those TV cameras in here, the automatic TV cameras that are going to move, I suggested the TV cameras that traipse in and out of here every day might be removed because they would no longer be necessary; they would be redundant. We would have TV coverage, and the electronic media would have



the opportunity to take up part of the electronic Hansard and use it on the TV news if they so desired.

Of course, the members of press were not impressed with my suggestion because they not only want the advantage of having access to the electronic Hansard but would like also to take their shots as they see fit from the gallery.

In addition to its being a nuisance to each and every one of us, at the end of question period in particular, it also presents a problem when there are demonstrations in the public galleries. The rules of this House, Mr. Speaker, as you well know, are that there is to be no participation on the part of people sitting in the public gallery. They are not supposed to applaud, make speeches, chain themselves to a railing or do a number of things which we have had exhibited to us in the past.

The whole idea of a public demonstration in the gallery is to attract media attention. It is nothing more, nothing less. That particular forum is strictly forbidden by the rules of the House. Therefore, I argued in committee that, with the control of the cameras by rules we might set down as in schedule A of the report, such a public demonstration would not be recorded and consequently there would be no sense in having public demonstrations any more. Therefore, it would be a matter of enforcing the rules in standing orders.

People convinced me during the hearings that there had not been much of a problem.

**Mr. Barlow:** They bought you out.

**Mr. Sterling:** No. They convinced me there had not been much of a problem in the past with the TV cameras up here, but I think it is a very important concept to get straight in our minds.

Perhaps the best parallel to the legislative chamber would be a courtroom. You have a judge who is control of the proceedings and makes certain the various members get an equal break in what happens. That is why we have standing orders: so one member of the Legislature will not have an advantage over another.

Once the judge loses control over his courtroom, then some damage can be done to an accused, particularly in a criminal case, which might affect the outcome of that trial. In this case, with the cameras located where they are at present, they can misrepresent. I do not expect that would happen very often, but if they so choose they can misrepresent exactly what took place here because, as one of my colleagues indicated, it can be used.

At any rate, I yielded to the wishes of the majority of the committee. However, it is a matter we may have to deal with in the future if the cameras are not being fair to the Legislative Assembly. We should never forget that the control of the Speaker is more important than anything else in how this House is run, so as to give the guy over there the same advantage in speaking that I am given. We all have to agree to these rules, and it is important that the public have the perception that we are all treated equally.

I look forward to the installation of television in the Legislative Assembly. I have enjoyed working on the procedural affairs committee and will continue to do so. I would like to add my thanks to Smirle Forsyth and John Eichmanis for their work on this project. It is going to be difficult for all of us to become accustomed to this, as my friend the member for Chatham-Kent (Mr. Bossy), who has had some experience in the federal House, has warned us.

We are going to have a test period. We are going to see our mugs on TV for a month. Maybe we should have the vote on the report after that takes place rather than before we have the opportunity to see ourselves. I am sure we will encourage much more interest in the debates and many people will attend more often. I hope it will lift the level of the debate as well.

**Mr. Newman:** It is a pleasure to take part in the debate on the establishment of an electronic Hansard in this Legislature. My first words should be of commendation for the manner in which our chairman, the member for Oshawa (Mr. Breaugh), conducted himself. He was a real sparkplug. He knew how to get the attention of the various members when they thought of better places to be at certain given times. He did his work in a very impartial manner that was nice to see and nice to experience, because generally in this House we are of three different thoughts and we do not hesitate to express those thoughts.

As a result of the manner in which he conducted himself and the assistance from Smirle Forsyth and John Eichmanis, the report was completed in a short time. I had anticipated we would spend a substantially longer period of time delving into such a complicated problem. When we first decided to look into the issue, we thought we could go to one spot, and then a second and a third, and make up our minds. It was not that easy. This is an extremely complicated endeavour. In addition to its being complicated, we were dealing with three different political philosophies.

9 p.m.

One could speak ad nauseam on the topic of the development of an electronic Hansard. I have always wondered why it took so long for this august chamber to decide it should step into the 20th century and be right along with other jurisdictions that have had such a Hansard for a substantial period of time. I thought the province would have been leading, whereas instead we followed the government of Canada as well as that of Saskatchewan.

We did not go to any great extent into the United States, but we did see some of this in Albany, New York. As a result, the combination of the various visits we made assisted us in arriving at a conclusion about what we thought would be in the best interests not of ourselves but of the many people who do not have the opportunity to come into this chamber and see exactly how we behave and/or, at times, misbehave.

The idea of having an electronic Hansard is only one step. I think we have to go into electronic voting, as they do in other places, so that rather than stand up, bow to the Speaker and go through all those formalities, we will simply push buttons. Our names will be on the walls and one can go along and see whether the individual voted for or against or abstained.

We see that in the Michigan state Legislature and in other legislatures, and it is a real time saver. It gives us an opportunity to get into more pertinent matters than simply standing up, bowing to an individual, sitting down and going through the names of 125 individuals who have the right to register their positions on given discussions in the Legislature.

I do not intend to make any more comments. I am very pleased. Now that we have started this, I hope we will not stop but will carry it to fruition. We hope our whole purpose in this is the best interests of those who do not have the opportunity to come into this House to see exactly what takes place.

It is a pleasure for me to have had the opportunity to say these few words. Once again I commend those, including all members, who worked in unison in developing this report.

**The Acting Speaker (Mr. Morin):** The member for Oxford.

You did not hear me?

**Mr. Treleaven:** I am sorry, Mr. Speaker. I did not hear you. It is Oxford, the place with the statue of the cow.

**Mr. Andrewes:** What kind of cow?

**Mr. Treleaven:** A Holstein cow, a Holstein-Friesian, the world champion butterfat producer, owned by Tom Dent.

**Hon. Mr. Nixon:** Springbank Snow Countess?

**Mr. Treleaven:** That is right; owned by Tom Dent, a member of this House from 1943 to 1955.

**Hon. Mr. Nixon:** He won every other election.

**Mr. Treleaven:** The member for Brant-Oxford-Norfolk (Mr. Nixon) was his neighbour at one point and would remember—at least, his father was.

The standing committee on procedural affairs and agencies, boards and commissions is a consensus committee, and when we get in here, the same members are not all of one mind. So I have a suggestion. Perhaps if the House would like to refer Bill 30, the matter of beer and wine in the corner stores, and even the matter of question period to the procedural affairs committee, I am sure we would solve it in short order, bring back a report to be debated and save everyone a lot of time.

**Mr. McClellan:** We will have to visit a few places, too.

**Mr. Treleaven:** Perhaps it would be necessary to go to the European Community to see what they do in such circumstances.

As my friend the member for Carleton-Grenville (Mr. Sterling) also said, as this committee started the project, electronic Hansard, it was not an option whether or not we would have electronic Hansard, or television in the House; it was only what and when, not if.

As we vary a certain amount, let me say first that I am quite in favour of having an electronic Hansard in the House—

**Mr. Haggerty:** But no television.

**Mr. Treleaven:** No, television; electronic Hansard. That is fine as an extension of the microphones into which we speak and of the Hansard that is taken down and put in books. Looking at our report and our recommendations, I am certainly in favour of that. I was most impressed with the Saskatchewan example, as were the other members of the committee.

The guidelines set out in schedule A are fine. I disagree with my friend the member for Essex South (Mr. Mancini) when he refers to split-screening. It states in the guidelines that the people operating the television cameras have to do that with decorum in mind and they should use taste when split-screening. What is contemplated



is, if a question is asked of a minister, then the minister is on television and the only split-screening aspect would be where the questioner was shown at the same time, to get some relevance between question and answer. I see nothing wrong with that.

I will go as far as saying I would like to see television in the House. I would like to see a central feed, so the TV stations and networks can take it off in a high-quality transmission. I would like to see cassettes made, so individual members can take these cassettes back to their cable TV stations and the proceedings here can be disseminated as much as the members or their local cable TV stations wish.

When we get to the end of that, we get into the distribution question, which is a little stickier. As my friend the member for Carleton-Grenville mentioned, we have costs to think about. In referring in the report to distribution, we received a confusing amount of information as to what it was going to cost. Members should keep in mind that back in the late 1970s, Saskatchewan had in mind putting television in its House and distributing it. They found they did not have a distribution system, so they postponed it for three or four years until there was an in-province distribution system. Then they brought television into their House in 1982-83.

In Ontario, we received all kinds of figures. On page 27 of the report, the cost was estimated as high as \$255,000 a year to link up the satellite rental, or it could be bought for \$500,000. To rent a transponder for the satellite would amount to approximately \$1 million a year. When we get into these figures, the distribution costs get a little bit scary.

I refer to a letter that came from the Ontario Cable Telecommunications Association, which appeared in front of us. This letter, dated August 26, is to the clerk of the committee. They were very good. I was very impressed with their knowledge and their at-hand statistics. They told us there are approximately 3.5 million homes in Ontario and approximately 2.2 million, or 62 per cent of them, have cable television. So you get down to 2.2 million. They said 65 per cent of those have converter facilities. Now you are down to 1.4 million households.

Then they said one half of those are serviced by cable systems that are capable of getting in that signal or that have capacity in their station. I did not understand it, but apparently some cable stations have as few as 12 stations, others have 20, some have in the high 30s and some have no capacity. When we take the 700,000 capacity in

Ontario with converters that can bring in the signal, we are down to 20 per cent of the households in the province that, right now, can take it off television by way of converter.

**9:10 p.m.**

The association also stated that in the larger urban centres this converter usage is about 80 per cent, not 62 per cent. Therefore, in Oxford and all the other constituencies like it in the province, approximately 15 per cent of the households have the capacity to get this televised into their homes.

The Ontario Cable Telecommunications Association stated: "We know that a number of smaller systems have little current channel availability. Many are not carrying the federal House proceedings because of that situation." It states there are problems getting these stations to (a) carry it, (b) carry it live, (c) carry it at any time in the normal viewing hours, short of midnight and after.

**Mr. Haggerty:** So you are saying it is only for Metropolitan Toronto.

**Mr. Treleaven:** I am not saying that. The member for Erie (Mr. Haggerty) said that, not me. The people in Metropolitan Toronto would have a much greater capacity. Perhaps 80 or 75 per cent of the homes would be able to take this in. Maybe it would be closer to 100; whereas in certain places such as Erie and Oxford, it might be 15 per cent.

If we are talking these large amounts of dollars I was throwing around, \$255,000 and \$1 million a year rental to get this signal out, and it can get into only 15 per cent of certain homes in some ridings, I question if the distribution system is far enough along to consider it as this point.

In summary, yes, televise it in the House, make cassettes, give a central feed for the networks that wish to take it; but perhaps the Board of Internal Economy or whoever is going to deal with this should go back to the drawing board on the distribution to see if we cannot find a better system at smaller figures than we have had presented to us so far.

**Hon. Mr. Nixon:** I well recall the occasions in the past when we have had special television facilities introduced into this chamber for occasions of note, such as the reading of the budget and the responses by the opposition critics. This goes back to before 1975, even before it was permitted under our rules for the television cameras from the ordinary news media to come to the Speaker's gallery, under the clock.

The occasion of which I am thinking would be about that time, and an agreement was worked

out by the Canadian Broadcasting Corp., although it might have been CITY-TV, that it would bring in equipment and put it on the special bridges normally installed behind the seats for opening day and other occasions. The Treasurer's budget speech was televised in its entirety. It may have been Darcy McKeough on that occasion, I cannot recall exactly. The agreement was that the opposition critics would have an hour of live time. I believe it was CBC, now that I think of it.

I happened to be the opposition critic and, of course, prepared myself carefully and had my usual stylish haircut in the basement of this building. I had special advice from my wife as to sartorial splendour. I prepared the speech with inordinate care. Special lighting was installed, of the chicken-wire type to which the member for Essex South was referring, with the lights hanging on wires and sparks jumping from one light to another. I delivered a marvellous speech; everybody said so in St. George, Ontario. I waited for the flood of mail. I got three letters damning me 10 ways because the hour had pre-empted *The Edge of Night*.

The lesson I got at that time was that this is not the greatest theatre that ever was. It is true there are political groupies, people who watch anything on television, who will tune in to debates such as this and be transfixed by them.

It is hard to understand and hard to believe, but on the basis of disseminating knowledge and selling democracy in a modern forum, it seems to be generally accepted on all sides that this is exactly the thing we should do. Of course, I agree.

**Mr. Gillies:** I want to suggest to my friend opposite that perhaps the answer is a split screen with him on one side and *The Edge of Night* on the other.

**Hon. Mr. Nixon:** Somebody in one corner of the House said a split screen could be used to show a Tory talking out of both sides of his mouth; not the member for Brantford (Mr. Gillies).

As Treasurer and Minister of Revenue, I have been listening to the projections of costs. We are thinking in terms of \$4 million to set it up. The chairman of the committee is shaking his head. He is a well-known conserver of public dollars. There are the year-by-year costs. It is so easy for us to say, "It really does not make that much difference." Then one thinks of what we are starting up with all those cassettes, hour after hour, day after day, year after year, being carefully preserved like cuneiform nuggets in the

bottom of some pyramid. One thousand years from now, somebody will come on this as a great treasure trove of culture from the 1980s. They will start running those things and will say: "Is that all it was? Is that all they had to pass on?"

Of course, I am in favour of it.

The member for Oxford (Mr. Treleaven) or perhaps the previous speaker was worrying about the bright lights. Some members may have noticed that I worry about the bright lights too. There is a simple solution and I have shown the way. If we tear off the bottom of the Orders and Notices each day as we come in, something about an inch wide and about four inches long, and fold it in the middle to form a nice little U-shaped trough, it fits on the top of our eyeglasses and actually cuts out the lights perfectly.

As to the fact that everybody thinks one is crazy, probably we can get used to that because it is perfectly comfortable and we do not have to sit in the House watching the other side with a hand shading our eyes as if we are looking into the western sky at five o'clock on a summer evening, watching the wheat waving in the breeze.

It is a real problem and it is going to add for all time to our discomfort here, even though the chairman of the committee has looked into this carefully—I do not mean the bright lights but the alternatives—and he tells me that the kind of cameras he is used to can take pictures in total darkness. That may be appropriate for this chamber.

**9:20 p.m.**

Even with that terrible difficulty, I heartily support it. These matters have been discussed in this House for a long time. There would be those who would be unkind enough to say that some honourable members—none here now; probably those who were elected previously—had a sort of fixation of some special importance, not of themselves, but of the chamber. I believe it is important, but I am not sure that being able to follow it minute by minute, day by day, and to have a permanent electronic record of every sigh and scowl, every clever interjection, every ministerial statement, is worth the dough. I have had to balance this carefully and I have come to the conclusion that I support it.

I have been House leader of our party for quite a period of time and have been subjected to the arguments of my esteemed colleagues for a long time. They have had the feeling that when I went to the Board of Internal Economy to discuss this, I did not convey their views with sufficient enthusiasm. I am here to tell them that I conveyed



their views with sufficient enthusiasm, but now my gambit is running out.

We have a piece of paper with signatures affixed which indicates that we are going to have an electronic Hansard. I think it is very appropriate that members of all parties have taken part in what I must admit is a careful review of the alternatives and have made a recommendation to the House. I do not think the recommendation could be better. I will leave it at that and say I support it.

**Mrs. Marland:** It gives me a great deal of pleasure to speak very briefly, and it should certainly give the House a great deal of pleasure if I do speak briefly. I would like to echo the comments of one or two previous speakers in their commendation of our chairman. It was my first experience with a standing committee, and this was the first area the standing committee worked on this summer. I must say I was very impressed with the member for Oshawa. I was also very impressed with the two members of the staff who have been referred to, Smirle Forsyth and John Eichmanis.

I am very proud to have been part of the committee that brought this report forward, but my pride is really in the people I have mentioned, because their part in this report was far greater than my own. I think it is a commendable report. I believe there are no areas that were not covered and not investigated. The excellence of the report will probably stand as a good example of what our committee is going to be coming forward with on a few other subjects in the near future, all of which will prove very interesting to the House.

I would like to thank the members of that committee for the experience of working on this particular report this summer. As another speaker tonight also mentioned, the committee really went about doing its job. As a new member in the House, I expected to experience a standing committee as being partisan. I was more than delighted to find that that aspect never interfered with the mandate, which was to get on with the job and come up with a report. The partisan aspect did not put us into any illogical situations or debates; it was a very productive exercise.

In my own opinion, to have television in the House is very progressive. In this 20th century it only makes common sense for us to benefit from the 20th century technology that is available to us. Through this medium, we will make available to a large number of people at least the choice of finding out what their elected representatives do and, furthermore, perhaps through the convenience of the visual transmission, to

understand better what at times is discussed in the House but is difficult for them to understand from the print media reports.

I certainly can speak very strongly from experience in Mississauga, where we have televised the council meetings for seven years. I am constantly amazed by the ever-increasing numbers of people who are watching them on a local cable network. One may think, as the member for Brant-Oxford-Norfolk said, that it can be pretty boring stuff. In fact, there are sections of all meetings that are boring, but there are other sections that are very interesting. I think we underestimate the public by suggesting it would not be interested in the proceedings of this House.

People are interested and they become more interested as they become more familiar with the kinds of debates and processes we go through. How much more rewarding it is for us as elected members of this Legislature to represent a public which is not apathetic, because it has had the advantage and, consequently, the benefit of being able to see what we do, what we are talking about and what these human issues are on a day-to-day basis that affect people directly in their daily lives. I am very excited about the possibility that we are going to have this system in place as soon as possible.

There are some fringe benefits, too, to having the House televised, in my opinion. I have a lot of difficulty with desk thumping. I do not know whether other people share that or not, but I personally have a lot of difficulty with it. I know it is traditional at both levels of government, here and in the federal House, but I do not think it adds anything to the conduct of the House.

I am very pleased about one of the factors in televising the House. We were told, particularly in Regina, that desk thumping should stop because of the vibration on the microphones. The desk thumping can be replaced by applause. I personally think this would be an improvement in the decorum of the House.

[Applause]

**Mrs. Marland:** I thank those members who applauded. Of course, it will certainly add to the discipline of members of the House.

**Hon. Mr. Nixon:** To whom is the member referring?

**Mrs. Marland:** I have been told that some members are prone to drink their dinner rather than to eat it and then come into the evening session. Sometimes that can be difficult. If that should happen and if, unfortunately, that person is on camera—

**Hon. Mr. Kerrio:** Not since 1978.

**Mrs. Marland:** We have seen it happen in the federal House; maybe I am considering the wrong House.

In any case, for those who choose to do things in the House that are unbecoming, such as manicuring their nails behind the latest copy of the National Enquirer or something similar, all those kinds of things are going to go. As a result, the level of performance, in my opinion, will be increased.

I think split screens are good. I personally do not have any difficulty with split screens, and I would like that to go on the record. I think our chairman is sitting on the opposite side of the House at this moment, but our understanding of the system is that the cameras would be activated by the microphones, so the split screen would be between the two people who had the floor. I do not see any difficulty with that. If you have the split screen and show the reaction of someone who has asked a question or is in part of the immediate debate, it makes sense for the viewers to be able to see both people who perhaps are speaking alternately.

**9:30 p.m.**

The two previous speakers mentioned this point, and I am just giving my opinion to endorse their position. I feel very strongly that there must be a prohibition on these cameras filming public demonstrations in the galleries; otherwise, we are just going to encourage demonstrations. It is not the purpose of this House to have the public demonstrate in it. The purpose of the House is to conduct the business it is responsible for.

There are other places outside this chamber where public demonstrations can be held. To televise anything that goes on in the public galleries would only encourage it. Every day we would have somebody taking off his T-shirt or jacket, hanging out signs or making whatever demonstration he could possibly come up with because he would know that the cameras would focus on him right away. One very strict area we must enforce is that the cameras are on the business on the floor of the House at all times.

I do not agree with the comment that the independent stations should have to take out their cameras. We discussed that, and I feel it is just the same to have those live cameras at this end of the House as it is to have someone in the press gallery with a still camera photographing the same scene or the same reaction at the same time.

It is a pleasure to have been part of this committee and I look forward with eager anticipation to the public of Ontario having the

choice of accessing the conduct of the affairs of this province in this Legislature.

**Mr. Henderson:** I rise to comment on our proposal to televise the proceedings of the Legislature. Many of us feel such a step is well overdue. Any of us who as private citizens have had dealings with government can speak of the frustration a citizen often experiences in attempting to get sound information or sensible decisions from an organization such as a government that has far-ranging and often diffuse accountability.

I am not speaking here of the elected members, to be sure—they have a clearly delineated accountability to their constituents—but rather of the larger institution of government whose branches have accountability to appointed ministers, elected members, branch directors, private appointees and consultants, professional lobby groups, activist citizens' groups, etc.

When there is no one individual or board to which a particular decision-making group reports, decisions often follow the whim of some individual bureaucrat, or follow the fad of some current societal fashion, or blindly adhere to some established policy or precedent of doubtful relevance to the real issue at hand.

It will be immediately apparent that I am not speaking now of Liberal governments, which rarely display those kinds of anomalies, but of governments led by other parties whose institutions we inherit when the electorate sees fit, as it did on May 2, to bestow on us that honour.

I did not expect to get away with that, but nobody seems to want to dispute the matter.

These difficulties are inherent in the nature of western democratic governments and, if I can bear to contradict myself very slightly, may even have occurred under rare and unusual circumstances in Liberal governments in this country. Accordingly, I believe the concept of openness in government becomes especially relevant in contemporary times. Government is diffuse and wide-ranging in its accountability. I believe openness in government and openness of government proceedings, as exemplified in the proposal to televise the deliberations of this House, will add a useful and very much overdue dimension of collective accountability.

Our aim is to ensure that the decisions and choices of government remain relevant, sensible, flexible and responsive to the needs of people, not of institutions and bureaucrats.

For example, it would be reassuringly much more difficult, if the Ontario health insurance plan refused coverage to a single mother of a handicapped child whose OHIP coverage lapsed



because of a careless error in some employer's personnel department, for the minister responsible to be embarrassed on public television by such an act of insensitivity, however justified it might be in terms of the policies and procedural manual of the ministry.

Similarly, it would be reassuringly difficult for the chairman of the Workers' Compensation Board, for example, to sanction a decision to terminate benefits for a partially disabled 63-year-old ethnic Canadian, who has little hope of securing employment, if the *modus operandi* of WCB comes under periodic scrutiny and debate in televised proceedings at Queen's Park.

To put it more baldly, when you make decisions about people and when the people are watching the decisions you make, your decisions are very likely to meet the test of people responsiveness. It is hard for a government to stray very far from flexibility and compassion when the people of the state are watching.

There is, of course, a downside to this consideration. An argument can be made, I suppose, that for governments to be too responsive, too sensitive to the wishes of the people will promote governments by fashion and fad, government by poll, as it were. Government, so this argument goes, needs the protection of some measure of distance from the fickle wishes of the electorate in order to be able to have the appropriate measure of administrative distance from those most directly affected by government's decisions.

Governments need to be able to seek and heed the advice of seasoned experts in particular fields and need to be secure enough to implement the views of sources of expertise not necessarily embraced by the electorate at large.

I reject that point of view. Although sometimes tempting, such arguments do not reflect the philosophy of government we embrace in a liberal democracy; rather, democratic government responds to the views and wishes of the people. There are, implicit in that, reciprocity and a mutuality between the people and their elected representatives.

There is, furthermore, a direct participation through elected members by the people in the affairs of state. That direct and mutual involvement of the people is an important, dynamic and growing force which those of us who believe in the democratic system consider to be important in promoting growth and maturity in the evolving psychology of the nation or state.

I realize that in this remark I am invoking concepts comparable to Carl Jung's notion of the

collective unconscious. I believe in such a notion. I believe by virtue of the kind of government we have chosen in the western democracies that we have been able to develop a mental vigour and a healthy sense of challenge and question amongst our people, which may be lacking in states where public participation in the affairs of government is less certain.

I am advancing the thesis that democracy succeeds when governments are responsive to the wishes and choices of a sufficient proportion of mature individuals within a state. Conversely, I believe there is some truth as well to the adage that people get the kind of government they deserve, and that the best defender of flexible and responsive government is the critical, challenging and questioning attitude of our citizenry. All this, I believe, is promoted by our proposal to televise the proceedings of this Legislature.

I want to say just a few short words about the subject of human narcissism, because I believe it is a further dimension that is very relative in this discussion. I refer, by this, to the narcissism of the legislator. By the word "narcissism," I mean that very ubiquitous human need for input, approval and even, on occasion, criticism from one's fellow man. I am speaking of the human need, if you will, to be responded to, occasionally applauded and occasionally criticized, or even dumped on. Not everyone sanctions or condones that need. Traditionally, it has been viewed by many as selfish, perhaps arrogant and certainly not a legitimate need to be considered or facilitated in any systematic way.

9:40 p.m.

It might interest members to know there is a very vigorous debate in the professional literature of medical psychology about the nature and origin of human narcissism. One view holds it to be a consequence of insufficient nurturance and responsiveness in the early childhood environment. The theory goes that persons who are too little loved develop an inordinate need for public approval and affirmation, as though they hunger greatly for what was missing from their early experience and can gain at least a little substitute satisfaction from public acclaim and applause.

Perhaps something like that occasionally occurs, and I am sure many of us can think of people in public life who sometimes seem to be locked into a quest for public popularity and applause—not Liberals, to be sure.

The view of narcissism I have put forward is one polarity of the current professional debate and is not the one I favour. Rather, I embrace the view that narcissism, like hunger and thirst, are

normal and innate human longings. I believe a reasonable gratification of narcissistic need is a crucial ingredient of the mental life of infants, children, adults and certainly legislators. I believe the nature of each person's narcissistic need evolves according to some axis of narcissistic development, just as intellect and emotional maturity are apt to evolve along a certain axis of development when emotional development is proceeding well.

Perhaps if we are going to facilitate narcissism we should facilitate a little of the other two qualities too, but I will leave that for others.

We politicians are very human creatures. Our profession offers us many rewards and satisfactions, and many stresses, challenges and insecurities. My thesis, simply stated, is that legislators are apt to be more productive, creative, responsive and even happier if they have a reasonable opportunity for narcissistic satisfaction in their work.

I hope I have spoken strongly in favour of televising our proceedings in the Ontario Legislature. I believe such a step is in line with our philosophy of democratic government and will strengthen and promote a sense of participation by the people in the affairs of the state. I believe it is desirable for the health and responsiveness of good government and is a state of affairs that will also promote the maturity and critical faculties of people in the constituencies we represent and govern.

I also believe it is a very useful contribution to the needs of our legislators, who have a very legitimate need—incidentally, on some sides of the House more than others—for the direct narcissistic satisfaction of being watched, criticized, evaluated and, they hope, approved in the course of their work.

To televise the proceedings of the Legislature will be good for government, for the people and for us. I therefore heartily support this step.

**Mr. J. M. Johnson:** I would like to express a few concerns I have with the project we have in mind for this Legislature. While I have not had an opportunity in the past few months to sit on the committee dealing with the subject under consideration tonight, I have over the past several years had an opportunity to review the program in Ottawa and some of the other jurisdictions in this country.

I wish to express some concern over the cost that will be involved to bring television into this Legislature, although I credit it with the benefits it will produce. My concern is whether we as members are simply bringing in something that

will enhance the reputation of the incumbents in the next election. If that is the case, then I have a great deal of reservation about supporting such legislation.

If it is going to be beneficial to the public, it is a different matter, but I am not sure I can accept the fact that it is. Naturally, there are pros and cons about any such program. It is claimed the benefit is that the public has the right to see what is going on in the Legislature. But, after question period, what goes on in the Legislature that the average citizen of this province will watch? Quite frankly, I have a feeling we would actually have to pay them to watch the performance of this House in action after question period. That may be a little naive, but I think very little goes on that the average member of the public can understand.

The proceedings of the House are complicated. They are even complicated for members. The Speaker leaves and we have a chairman when we go into committee of the whole House. We deal with subject matters that are very confusing for some members and certainly for the public. I am not sure it would be an advantage to show some of the proceedings we have without an explanation to the public or an understanding by the public of what is going on. Apparently they have it in Ottawa, although I am not sure it works. Saskatchewan is the example we are using and we should follow it.

There are certain proceedings that are well worth following. If there is something special, by all means it should be covered by television or some method of communication to the public. If we were to decide on coverage from 2 p.m. to 6 p.m. and then from 8 p.m. to 10:30 p.m.—that is, total coverage of this Legislature—and maybe even of committees, I question whether we can substantiate the fact that we should be paying that kind of money at this time to bring about this type of introduction to the public of what Queen's Park is all about.

I represent the riding of Wellington-Dufferin-Peel, which has a lot of farmers who have an extremely difficult time making a living today. We have a lot of small businesses that can hardly make ends meet. I have a great deal of difficulty in going home and telling them we are going to spend many millions of dollars to advertise the benefits of the members of this Legislature in serving the province in whatever manner they feel they are serving it.

**Mr. Sargent:** The member watches the Gong Show, does he not?



**Mr. J. M. Johnson:** The member for Grey-Bruce is the last one in this House I would criticize, because he is a very knowledgeable person. He always speaks his mind, and I give him full credit for that, but he does not need television coverage. He gets enough as it is.

I am not totally opposed to TV coverage, but I am opposed to total coverage. If there is some way we can cover the main events in this Legislature, I can certainly support that. I do not think there is any way we should cover the proceedings from start to finish, because sometimes there are more important events happening in committees than in the House. Many members, let alone the public, are not aware of what is going on. I truly do not think the public will be able to comprehend what is happening. There could be as many negative aspects to it as positive.

**9:50 p.m.**

I am concerned about the costs we are putting into projects such as this and whether the costs that will be incurred are warranted. Furthermore, as I mentioned, when so many of my people and people in the rest of the province are suffering financial difficulties, I am not sure it is a time when we should be spending millions of dollars to do something that could be perceived by the public as nothing more than enhancing the reputations of the members of this Legislature.

There has to be a mechanism to sort it out so we do not become involved in such a situation that we 125 members perpetuate our own stay in this House by taking advantage of the taxpayers' dollars. That is one concern I would like to emphasize with our Treasurer, who I am sure will agree.

**Mr. Warner:** It is good to contribute twice in this debate. I had not thought my contribution would be essential until I heard the support from the Treasurer (Mr. Nixon). His support for this project sounded a little bit like trying to bail out a boat by poking holes in the bottom of it; so I thought a few salient remarks might be in order.

Before I start into the substance of the report, having been a member of the committee who participated in this exercise, I wish to pay particular tribute to the staff: Mr. Forsyth, the clerk; Mr. Decker, the assistant clerk, and Mr. Eichmanis, the researcher, who ably assisted us and without whose help we could not have put together such an excellent report.

I pay tribute, of course, to the chairman, the member for Oshawa, who devoted a great deal of time and energy and gave some very good direction to the committee, and to my colleagues

from all three parties, who worked extremely well together. It was a very co-operative effort, with a very open discussion and a very nice exchange of views and ideas on how to bring television into the chamber.

There are several extremely important reasons for us wanting television in here. Number one is a greater emphasis on opening up our system to provide a real opportunity for everyone across this province to be able to see exactly what happens here, to be able to view the events as they unfold and to be able to watch not only question period but also the various committees, the deliberations on legislation—absolutely everything that goes on here.

I have no doubt that, especially through the facilities of TVOntario, which boasts that it will be able to cover approximately 96 per cent of the population of Ontario, the people in far-flung parts of our province will be able for the first time to see not just their own representative in action but all the members of the House. That is important; it is a good step forward.

There is more to it than that; it goes beyond that. One of the hopes I have, which is built into the report, is that TVOntario, which is our province's educational network, will seize this opportunity and develop some educational programs around the actual televising of the Legislature, its committee work and the debates on the legislation.

TVOntario will be able to package for use in our school systems the ways legislation is passed through the House, the ways debates take place, question period itself, all the proceedings, the routines, the pomp and ceremony—every aspect of the operation of the Legislature—so that school children throughout this province will have a better understanding of our system. That is extremely important, and perhaps it has been overlooked.

Another aspect we have built into the report that should not be overlooked by members is that, for example, there are a lot of people in our province who are hearing-impaired. We want them to be given the opportunity for closed-captioning so they can follow the proceedings at home and have a better opportunity to see and understand what happens here.

We want there to be some printed explanation on the screen so that, in addition to watching and listening to the members, people can have a better understanding of the proceedings they are watching. We also want to have simultaneous translation in both of our official languages so our francophone population will feel a little

closer to what we are trying to do and to the process at Queen's Park.

Ultimately, what we are doing is opening the doors and windows of this place and allowing the people of the province to see precisely what occurs here. Some of it will be theatre, and no doubt some of it will be poor theatre. If we concentrate on that, we miss the essence. The essence is that this is a democratic system. If we truly believe in having a democratic system, we should not be afraid to let the people watch it. They will judge. If members make fools of themselves, the people will judge that. If the members cannot conduct an orderly and sensible debate on an issue, the public will judge that.

It may not draw a great audience. The Treasurer may be right that programs such as *The Edge of Night* will win out, but I believe that in the long run it will attract a pretty steady audience; it will become a more knowledgeable audience. Over time, we will be doing a great service to the people of Ontario.

I am very proud to have participated in the committee and its deliberations. If the kind of effort that was put in collectively by members of all three parties were directed more often at other issues, we could solve other issues a lot more quickly than in the past. I was pleasantly surprised, to be very candid, by the contributions of the members from the Conservative Party. It is no secret that prior to the change in government, the Conservative government wanted no part of television in the House and resisted it strenuously. However, the members who served on the committee contributed tremendously with bright and enthusiastic ideas. The result is a report of which every member of this House can be very proud.

I look forward to the trial period, which I gather will start in November, next month. We are recommending that members have an opportunity to see themselves. Each of the caucuses will take those tapes and review them so members can brush up on their television skills, their coiffeurs or their sartorial splendour, whatever their particular interests are. Having done that and when the proper lighting and equipment are installed and the rewiring is done and so on, we expect to go ahead at full tilt for the spring session in March. At least we will have a little go at it in November and December. Maybe the members will be pleasantly surprised by what they see.

I appreciate the opportunity to have participated. I am deeply grateful for the enthusiastic support lent to this project by the Treasurer.

10 p.m.

**Mr. Callahan:** I take great pleasure in being allowed to participate in this debate for the basic reason that it is a historic event. There have been a lot of historic events in this House since I came here as a new member of this Legislature, but this event is introducing us into the 21st century.

It is interesting, with television having been around as long as it has been and the degree to which the technology has advanced, that the former government—I am not going to get quite as partisan as one of my colleagues, but I think it does take a little history to get my point across—did not make this decision a long time ago.

In the new era that has been introduced by this government, we are no longer going to govern by polls. Perhaps it was the question of polls that were taken in the past that prevented or saved the former government from having to allow television into the House. They had the ability of being able to read the minds of the public through the polling techniques as opposed to demonstrating to the public and convincing the public what steps should be taken in terms of legislation.

I would also like to commend and share in praising the committee, its chairman and staff for preparing this report. I had an opportunity to look through it. I borrowed a copy from the member for Grey-Bruce. It is a report that is well put together and well thought out.

In the event that there is a concern about people grandstanding with television being introduced into the House, I suppose in all fields of human endeavour there is a bit of ham in all of us, so I suppose for a little while that will take place. There will probably be people moving around to hide the empty seats, somewhat similar to a badly attended baseball game, but I would suggest to members that that will cease.

I can give an example. In my local council in Brampton we introduced television into the council chamber in 1974. At that time it was in black and white and nobody watched us. However, the minute colour was introduced, they got hung up on us and they switched from soap opera to us.

It is amazing the statements that were made by people on the street. They would stop one and say, "You were very good last night," "You were very funny," or, "You were very foolish." I relate back to one of my colleague's comments that if people stand up in this House and attempt to use it in a fashion that is not totally democratic or attempt to put forward points that make no sense, the people are like a very intelligent jury.



They usually make their own decisions, perhaps often based on logic that none of us will ever comprehend, but they are usually very wise decisions, and I would suggest that the electorate is just as astute.

Comments that it will be too complicated for the public are really an affront to the public in so far as we do not give them the benefit of the collective wisdom that they have. If one wants to look back at the history of their collective wisdom, on May 2, they were absolutely dead on. I am sure four years down the line they will be dead on again, and I suggest the public can make its own decisions as to how we represent ourselves.

It is going to take a bit of maturity. I would suggest that the House of Commons to this day is interesting and sometimes very amusing television to watch. However, I am sure the voters out there at times wonder just what is going on, wondering whether or not these people are always acting in a mature fashion, are always debating the issues and earning the money they make and the confidence of the people that was invested in them.

I would submit to members that the question of television is an absolute necessity to a democracy. Without television, this House acts in a vacuum. We have a few visitors here, there and everywhere, but people really do not know what is happening apart from what is reported in the press.

The press, with all due respect to its members, normally reports the issues as it sees them. They try to tell their story, and I suppose they try to do it legitimately. However, very often the old adage applies; the headline "Dog Bites Man" does not get as much attention as "Man Bites Dog." So we have to recognize that with television coverage we will see the actual events and the actual facial expressions. We will be able to read, as a jury would read, the credibility of the witnesses, and in that respect, the people will be well served.

I submit that the cost involved is minimal. It is an amount that I am sure any of my taxpayers in the city of Brampton would be happy to bear to have a more legitimate picture of what goes on in the Legislature.

I have to tell the members a funny story, if any are still awake. I had a relative from the United States who came to look after our children. She was watching the parliamentary question period from Ottawa. She had been here for three or four days and when we came home she said to me, "You certainly have a marvellous leader in Mr.

Trudeau." I said, "Why do you say that?" She said, "Every time he stood up to speak, the people behind him clapped outrageously." I said: "You have to understand that in our system, you have to look across the hall or across the benches. What were they doing?" She said, "Now that you mention it, they were hooting and hollering."

It does take a certain amount of preliminary explanation to bring people to an understanding of what goes on here. However, I think if a simple person like myself feels he at least has a handle on what is going on in this House after a brief period here, the more astute electorate will probably pick it up in the first two episodes.

The question of the TV lights is very significant. I do not know about the other members, but having come back here after the summer and not having been exposed to the ones that are currently used during question period, I found they were very difficult to deal with. Unless we are all going to sit here with shades on or do as the Treasurer suggested, we are going to have some difficulty. With the technology of today, I am sure they can accommodate us in terms of lighting without ruining the very delightful, historic trappings of this chamber.

I have one further comment. My colleague the member for Windsor-Walkerville (Mr. Newman) suggested we use electronic voting machines. I have seen them in the United States and I share his view in that respect. I must say, however, that any move towards that would be resisted by the rather traditionalist side of my character. I believe it is important to retain traditions. Too often, many of the traditions we had in the past are being eroded by our so-called modern society. It is important that something be left for our children to be proud of. That is a very exciting and very regal part of it, as is the opening of the Legislature and all the trappings entailed in that.

I will close by saying that each and every one of the members' respective spouses, girlfriends or boyfriends will also be very happy to see television introduced into this legislative chamber. At least they will know where the members are and will know they were telling the truth when they said they were here.

**10:10 p.m.**

**Mr. Pierce:** It gives me great pleasure to address the issue before us, television in the House. I listened with great admiration to the members who spoke who have access to television in their homes on many channels and in many forms through satellites, cable companies and any other form of reception. In my riding, I

have constituents who do not have access to hydro power, never mind cable television.

Based on the economy today and the unemployment I know I have in my riding, I question whether we are looking at reality when we talk about spending \$2 million, \$3 million, \$4 million, \$5 million, \$6 million, maybe \$8 million so that people can see what goes on in this House. That is not to say I am opposed to television coverage of the proceedings, but to say that I am very concerned about the allocation of funds at this time to televise the proceedings of the House.

I would much prefer to see a better study done on the actual cost of converting our proceedings. I have reservations about the costs which have been put before us today, about what it would cost our taxpayers to supply coverage to possibly 10 per cent or 15 per cent of the people in Ontario. We are advancing into the 21st century and we should advance with it, but I caution the members to pay particular attention to the cost of getting this service to the people.

**The Deputy Speaker:** Are there any other honourable members who wish to participate in the debate?

**Mr. Gillies:** I was not particularly intending to join it, but I sensed the House was in danger of adjourning early. I knew no honourable member would want that.

Interjections.

**Mr. Gillies:** Overtime is another debate.

I would like to join the debate because I have long felt the presence of television coverage, an electronic Hansard of some kind, would add to the proceedings in this chamber.

Prior to the introduction of television into the House of Commons, I recall many arguments were made that it would not be interesting to the

average voter, the average viewer, that people would not watch it, and they questioned the relevance of it to people in their own homes. I do not know what many members might think about it, but I actually think the coverage of the House of Commons has been rather well received. I find many of my constituents watch it—I almost hesitate to say it—religiously, and they comment on it.

I think coverage of the Legislature would draw an audience of its own. I agree with comments which were made earlier that the provision of an electronic Hansard, a video Hansard, does not fulfil the same role as the presence of the TV news cameras in the House, and it would compliment what we are doing here. I completely agree with the comments about possible improvements of decorum in the House, something I would enthusiastically support, and I am sure my friend the member for Niagara Falls (Mr. Kerrio) and others would agree that people such as we, who are the very model of members in every respect, would be pleased to see this.

Therefore, I want to say, as one individual member, I support this. The committee has done excellent work and I am very glad we are coming to the day when our constituents will be able to watch what we are doing on a regular basis.

**The Deputy Speaker:** Are there any other honourable members who wish to participate in the debate? There being none, we have in front of us a motion for adoption of the recommendations contained in the report of the standing committee on procedural affairs and agencies, boards and commissions on the television coverage of the proceedings of the Legislative Assembly.

Motion agreed to.

The House adjourned at 10:15 p.m.



## CONTENTS

**Thursday, October 17, 1985**

### Report

<b>Standing committee on procedural affairs and agencies, boards and commissions,</b> Mr. Breagh, Mr. Mancini, Mr. Sterling, Mr. Newman, Mr. Treleven, Mr. Nixon, Mrs. Marland, Mr. Henderson, Mr. J. M. Johnson, Mr. Warner, Mr. Callahan, Mr. Pierce, Mr. Gillies, agreed to.....	873
--	-----

### Other business

<b>Adjournment.....</b>	892
-------------------------	-----

## SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)  
 Barlow, W. W. (Cambridge PC)  
 Breagh, M. J. (Oshawa NDP)  
 Callahan, R. V. (Brampton L)  
 Gillies, P. A. (Brantford PC)  
 Haggerty, R. (Erie L)  
 Henderson, D. J. (Humber L)  
 Johnson, J. M. (Wellington-Dufferin-Peel PC)  
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
 Mancini, R. (Essex South L)  
 Marland, M. (Mississauga South PC)  
 McClellan, R. A. (Bellwoods NDP)  
 McLean, A. K. (Simcoe East PC)  
 Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
 Newman, B. (Windsor-Walkerville L)  
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
 (Brant-Oxford-Norfolk L)  
 Pierce, F. J. (Rainy River PC)  
 Sargent, E. C. (Grey-Bruce L)  
 Sterling, N. W. (Carleton-Grenville PC)  
 Treleven, R. L., Deputy Speaker and Chairman (Oxford PC)  
 Warner, D. W. (Scarborough-Ellesmere NDP)







# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**  
Friday, October 18, 1985

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, October 18, 1985

The House met at 10 a.m.

Prayers.

## VISITORS

**Mr. Speaker:** I would ask all members of the Legislative Assembly to join me in recognizing and welcoming in the Speaker's gallery Senator Corrado, mayor of Gibellina, Italy, together with a delegation of officials from Gibellina.

## ENVIRONMENTAL REPORT

**Mr. Martel:** On a point of privilege, Mr. Speaker: For the last couple of years I have been trying to assist a number of people suffering from environmental sensitivity disorders. The continuing reply I get from the Minister of Health (Mr. Elston) is that the study is being done by Judge Thomson.

It is my understanding that this report has been sitting on the Minister of Health's desk for at least a month. I wonder whether you, as Speaker, would assist me in obtaining a copy of this report so we can finally come to a conclusion that will help those people who suffer from this disorder.

**Mr. Speaker:** I would be very glad to assist the member by suggesting that he ask the minister during question period.

**Mr. Martel:** Good idea.

## STATEMENTS BY THE MINISTRY

### VISIT TO UNITED STATES

**Hon. Mr. Peterson:** On Monday I will begin a three-day series of meetings with United States officials in Washington and I would like to apprise the members of the purposes and plans for this visit.

The nine million people of this province have much at stake in relations with the United States. Access to the US market is vital to Ontario. Last year this province sent 90 per cent of its exports to the United States. Trade with the Americans is responsible for one million jobs in Ontario.

On the other side of the coin, trade with Ontario is responsible for one million jobs in the United States. In 1984, American exports to Ontario reached \$50 billion. Last year this province received more US exports than Japan.

We are the biggest and best customers the Americans have.

Co-operation with the United States on environmental concerns is just as vital to Ontario. If we cannot pass on to our children a legacy that includes clean air and fresh lakes, little else that we pass on will be of any value. That is why we plan to increase our contacts with US officials at the federal and state levels in the executive and legislative branches. Our visit next week is just one step in that direction.

In our meetings with US administration and congressional officials, I plan to concentrate on four objectives on behalf of the people of this province.

1. I will continue to promote Canada's case for secure market access and emphasize how important trade with the United States is to Canadians. I will also point out Canada's record as an exemplary fair trader and emphasize how important trade with Canada is to Americans.

2. I will seek to develop a clear understanding of the goals the United States will attempt to meet in trade talks. I will, of course, share what I learn with this House, the federal government and our sister provinces.

For example, one question I have voiced in the past is whether the federal government's decision to enter into free trade talks will forestall protectionist measures in Washington. Just yesterday a senior US trade official with whom I will meet said President Reagan's administration will crack down on Canadian trade practices to which it objects despite the recent request for bilateral talks.

3. I will attempt to establish closer, ongoing contact with our American neighbours. I am especially anxious to develop a strong relationship with congressional representatives from the Great Lakes states.

4. I will put forward Ontario's prime concerns regarding acid rain, pollution of the Great Lakes and other environmental issues. I will make it clear that this government is committed to dealing with our environmental problems.

In pursuit of these goals, I will meet with senior administration officials such as US Trade Representative Clayton Yeutter, Labour Secretary William Brock, Environmental Protection

Agency administrator Lee Thomas, leading members of the House of Representatives and Senate from both parties, and leaders from outside government.

I emphasize that this visit is just one step in an extensive process. Our efforts to improve dialogue with the United States do not begin on Monday nor end on Wednesday. Today I will meet with the US ambassador to Canada and in the near future with Governors and representatives of the Great Lakes states.

The aims we have set for our relations with the United States in general and this working visit in particular are clear, specific and obtainable. I am hopeful this effort will help to open the door to a strengthened economy and a cleaner and safer environment.

#### FOREST MANAGEMENT

**Hon. Mr. Kerrio:** As all members know, our government is committed to an independent audit of Ontario's forest resources. Today I would like to bring members up to date on that independent audit and a number of related initiatives which deal with the health of Ontario's forest estate and which I will be tabling in this House over the next two months.

We all know healthy forests are vital to our economy, to employment, to the future of whole communities, especially in northern Ontario, and to our tourism and outdoor recreation industries. Few other natural resources contribute as much, both economically and socially. As well, we recognize that good forest management must be accountable to the public of this province and that Ontarians must have the opportunity to become involved in major forestry decisions. That involvement and that accountability are not possible without a solid data base of information.

We must also ensure that Ontarians have ready access to this information, that they know the facts about their forests. As a step in this direction, I will soon be tabling a recent report on forest management, which was prepared by the Provincial Auditor as part of my staff's regular review of the management practices of the government.

In the past such a report would not become public information unless the Provincial Auditor chose to include all or the most significant highlights in the regular year-end audit report. We will release the full report, however, because I believe Ontarians want the facts on forest management so they can judge for themselves.

10:10 a.m.

I will also be tabling the official response to the provincial audit report prepared by my ministry. As well, I will be tabling the reports of the first five-year review of the first forest management agreements, or FMAs, in Ontario.

Under the FMA program, major forest industries began assuming responsibility in 1980 for integrating harvesting and regeneration. The reports indicate that this is being accomplished and also that the companies are committed to the program. That is good news about a program we have always thought was a step in the right direction. The government is looking forward to the results of the five-year reviews of all the other FMAs that have been signed since 1980.

I have also instructed my staff to provide a complete report, including background material, on the state of our forest resources now and a projection for 20 years from now. Once compiled, that report will be reviewed and critically analysed by a fully qualified authority from outside Ontario. That report and the independent audit will be tabled here by next July 31. The report and audit will be the first important documents in a comprehensive new publicly available data base of information about our forest resources.

A series of public hearings on an environmental assessment for timber management will also be held. That environmental assessment document is to be submitted to the Ministry of the Environment by December 31 of this calendar year. The hearings on it will begin in the latter half of next year.

These steps are only the first in a series that this government will take to improve public knowledge of the practice of forest management in Ontario and the health of our forest estate. My belief is that we must practise forestry in a way that offers due regard for the resource, the environment, the communities affected and the other users. At the same time, we must also be able to convince the people of this province that we are using the resource wisely and well and are renewing it for future generations.

I believe this public sharing of numbers, facts and concerns about forestry is essential in this province if we are to build a consensus to utilize properly this magnificent renewable public resource, our forests. For the greatest benefit of all the people of Ontario, our forests must be kept for both today and tomorrow.

#### WOMEN'S LEGAL EDUCATION AND ACTION FUND

**Hon. Mr. Scott:** Fifty-six years ago today a constitutional law decision was handed down



that affected and continues to affect all Canadian women. The Judicial Committee of the Privy Council in England ruled on October 18, 1929, that women were persons under the British North America Act.

That decision, simple as it seems today, was a stunning victory for women's rights, the reverberations of which are still being felt 50 years later. In recognition of the importance of that decision, today is now officially known as Persons Day.

Lord Sankey in the Privy Council, in handing down this historic decision, noted the importance of ensuring that a constitutional document be given a large and liberal interpretation. He likened the British North America Act, in words that have been used subsequently in all our constitutional cases, to "a living tree capable of growth and expansion."

This principle, which continues to govern the interpretation of our Constitution, offers women the chance to reinterpret and reformulate our fundamental laws to reflect changing needs and aspirations. This is particularly important now that we have a Charter of Rights and Freedoms in our Constitution. The charter must be a living tree growing and responding to contemporary Canadian needs.

To help ensure that the charter achieves its potential for women, on July 2, 1985, the Premier (Mr. Peterson) pledged that the government would set up a \$1-million fund to support court cases based on the women's rights guarantees in the charter. Today I take great pleasure in announcing that this fund will be made available to the Women's Legal Education and Action Fund to support new equality rights litigation brought by Ontario women.

The Women's Legal Education and Action Fund, also known as LEAF, is a national, nonprofit corporation formed specifically to provide educative, research and legal expertise with respect to the Charter of Rights and Freedoms. It is nationally recognized as the only organization in Canada established specifically to provide funding for charter cases affecting women. LEAF has relevant expertise in selecting appropriate cases for charter funding and has already formulated criteria to determine the worthiness of a case.

I believe LEAF is in a position to direct this \$1-million fund in a way that will significantly enhance the equality rights of women in Ontario. It is not for government to decide which women's issues will be brought before the courts; it is for women themselves. It was, after all, the determi-

nation of five steadfast women activists from various parts of Canada that pursued the persons case 50 years ago to its successful conclusion. We have recognized this by leaving the selection of individual cases entirely in the hands of LEAF.

This fund is a significant commitment to the vigour of our constitutional law. It also confirms this government's determination to ensure equality for women, equal access to the courts and equal opportunity in all life's endeavours. It demonstrates the government's willingness to subject itself to the strictest of scrutiny to ensure that no discrimination, whether overt or unintentional, exists in our legislation and policies.

At the same time, I stress this government's commitment and willingness to modify laws by legislation rather than by needless litigation. Lord Sankey noted in 1929, and it is equally valid in 1985, that "customs are apt to develop into traditions which are stronger than law and remain unchallenged long after the reason for them has disappeared." We propose to continue to review these customs and traditions and will amend any laws that require change. However, it is in recognition of the fact that litigation cannot always be avoided in charter matters that we have made available the \$1-million fund.

This government is fully committed to the goal of achieving full practical and legal equality for women. The funding being provided today will help ensure that our laws conform, not just to the letter of the Charter of Rights and Freedoms, but also to its spirit.

## ORAL QUESTIONS

### RENT REVIEW

**Mr. Timbrell:** I have a question for the Minister of Housing. The minister will recall that in the now famous accord signed by his leader and the leader of the third party, his party and his government committed themselves to extending rent controls to all buildings. He will also recall that on the day on which he was sworn into his portfolio he did not know what the policy of his party and his government was and he had to look it up. More recently, in London, the minister was quoted as saying his government would consider lifting the controls.

Will the minister tell the House today which promise he intends to break: the promise to the New Democratic Party and to the voters in the last election, or the promise to the development industry, which he has led to think this government is prepared to let it go on and build and restore a competitive rental marketplace?

10:20 a.m.

**Hon. Mr. Curling:** The honourable member said that when I was sworn in I did not know the policy of my party. I cannot recall saying anything like that. I presume he must be hearing a different voice.

As he knows, we are developing a policy and we could not follow the same policy of the previous government because it was such a patchwork. That is why we have taken our time. In three months, we have covered more ground than the previous government did in bringing about a housing policy. He will be impressed with what he sees.

**Mr. Timbrell:** I realize the government has been going to great expense and effort to educate its aides and ministers on the rules of the House. I did not realize they had learned that the rules say one does not have to answer a question. He has not answered one yet.

This Tuesday, in answer to a question of mine, the minister indicated builders had told him they were going to build in Ontario with, in effect, their own money. The very next day, Bramalea Ltd., one of the largest builders in Ontario, told the Thom commission it would not bring to completion 1,100 rental units in the region of Peel.

Who is going to build in this province in 1986? Tell us today who is going to build new rental accommodation, creating those jobs and providing that alternative housing? Name some of those builders here today.

**Hon. Mr. Curling:** It is very unfortunate that Bramalea will not be building, if it has indicated that. We need all the builders we can get. We have been having consultation over three months and the Committee for Fair Housing Policy has sat down with me a number of times. It has indicated a positive approach towards bringing housing supply into the province.

**Mr. McClellan:** I want to go back to the first question which, I must agree with my colleague, the minister has failed to answer. In the London Free Press of September 5, 1985, the minister said to a business group, "The government may look at the removal of controls as early as next year." He did not campaign on that theme although the Minister of Consumer and Commercial Relations (Mr. Kwinter) did.

Would the minister tell the House under what conditions the government is prepared to end rent controls in Ontario? The House deserves an answer to that question. Is it the policy of the Liberal Party, as it is for the Conservative party,

that rent controls are here today but gone tomorrow?

**Hon. Mr. Curling:** If I am responding to the statement the member read from the London Free Press, when I was asked if we would look at rent controls in the future, I said, "Of course we will." I was then asked if I would look at them as early as next year. I said, "Of course I will." That was my response.

**Mr. Timbrell:** Like the lawyer at the bar, I am tempted to say, "I rest my case." The minister has no policy. He cannot assure this house there will be one single rental unit constructed in 1986 without massive government subsidies or loans. Will he please answer the question: who is going to build much needed rental housing in 1986 in Ontario, when the largest builder in the province has already said it will not build because of his policy? Who is going to provide that necessary employment?

**Hon. Mr. Curling:** When I arrived and was honoured by the Premier asking me to be the Minister of Housing, one of the first things I asked the staff was to show me the housing policy that was in place, and that is the response I got, "What policy?"

I then thought we should start looking at all the people involved in bringing affordable accommodation to this great province of ours and I set up a consultation process. If the member could just wait a while—

**Mr. Davis:** In the fullness of time.

**Hon. Mr. Curling:** Our fullness of time is that we have been in three months. In 42 years there was no policy. In three months, we have come much farther than the previous government did. The member will see a good policy coming about.

**Mr. Timbrell:** Is that not wonderful? We can now say to the trade: "Just wait three months. Trust us." We can now say to people who are looking for rental accommodation, "Just wait three months." We can say to people who are paying key money, "Wait three months."

#### RADIOACTIVE SOIL

**Mr. Timbrell:** I have another question to the same minister. Now that the minister and the government of Ontario have established that the levels of radioactivity in the soil at the homes on McClure Crescent in the Malvern subdivision are at the standard for government acquisition and compensation, will the minister please tell us when he plans to begin to provide inspectors to home owners in any part of Ontario where they



suspect radioactive soil and the effects of same on their property? Will he indicate when he will provide the authority to purchase such homes, as well as the ones on McClure Crescent?

**Hon. Mr. Curling:** I am trying to understand the member's question. I heard quite a few questions in there. Is he asking me when am I going to provide inspectors on other sites?

Interjections.

**Hon. Mr. Curling:** The McClure situation is a special case involving the federal and provincial governments. There was inaction by the previous government, which for five years did not do anything. We acted on it.

Interjections.

**Mr. Speaker:** Order.

**Mr. Timbrell:** The minister has established a precedent with his announcement on Tuesday. Surely fairness and equity demand that he make the same available to any home owner in any community; for example, Port Hope.

I want to know whether the minister is prepared to say to someone from Port Hope or any other community who comes to this government and demands equal treatment, "Yes, we will test your home. Yes, we will buy your home. Yes, we will move you. Yes, we will rent that property," in exactly the same way as he has done in Malvern, in his own constituency. Will the minister do that?

**Hon. Mr. Curling:** The member knows that each case is looked at separately. I am not prepared to give the same offer to any other place until we can look at it.

**Mrs. Grier:** Can the minister tell the House whether in his time in office he has been able to determine a list of locations in the province where the previous government allowed housing to be built on radioactive soil?

**Hon. Mr. Curling:** I am not aware of anywhere that the government knowingly built homes on radioactive soil. If a case comes forth, we will take a look at it.

**Mr. Timbrell:** We are not getting any answers.

10:30 a.m.

#### EXTENDICARE LONDON NURSING HOME

**Mr. Rae:** I have a question for the Attorney General, the chief law officer of the province. He will be aware that there is a fundamental duty of care imposed on all of us who have children and imposed on all of those who have responsibility

for caring for people, whether it be in an institution, a family setting or whatever.

With respect to the tragic events that have occurred at the Extendicare London Nursing Home, the minister will be aware that an epidemic broke out and that there was a statutory duty, in addition to any other common law duties, set out specifically in the Nursing Homes Act and in the Health Protection and Promotion Act, giving certain very specific requirements of informing authorities with respect to the outbreak of an epidemic. He will be aware that there was a delay in so informing the authorities. He will also be aware that a report was made--

**Mr. Speaker:** Is the question, "Is he aware"?

**Mr. Rae:** --which said, "It is inconceivable that the above conditions existed so long after the occurrence of a probable food-borne disease."

Would the Attorney General consider talking to his senior crown attorneys to assess whether or not these obligations, which are set out by statute and which exist in common law, have been breached in so fundamental a way that they merit the direct attention of the Attorney General and his department?

**Hon. Mr. Scott:** I am grateful to my friend for this question on an important matter. We are all troubled by the occurrence of those unexplained deaths and, as my honourable friend knows, a coroner's investigation is under way, which we hope will elicit some of the facts. When that investigation and report is complete, it will be made available in due course to the crown law officers and we will determine what steps are to be taken. We are watching it very closely.

**Mr. Rae:** The difficulty is, as I am sure the Attorney General will be aware, our information is that the earliest an inquest could be started is some time in the middle of January, according to the schedule that we understand as recently as yesterday was being established by the coroner's offices in that part of Ontario.

Is the Attorney General aware of any police investigation or any police interviews of witnesses? Is he aware of a statement made by Dr. Korn on the Sunday morning radio program of the Canadian Broadcasting Corp. in which, in response to a specific question, he said that if he had known a little bit earlier, it might have been possible for something more to have been done?

The Attorney General will be aware of the legal consequences of delay and of failing to fulfil duties that are set out very specifically at common law and by statute. Given the seriousness of what has happened, will the Attorney General consider having the police involved?

**Mr. Speaker:** Order. Quite a few questions have been asked there.

**Hon. Mr. Scott:** As my friend knows, when a coroner's investigation is undertaken, the investigative work is done by officers of the police force, usually the Ontario Provincial Police, who are sworn in as coroner's constables; so the investigation that is under way is being conducted by the police. Crown law officers will be made aware of the results of the investigation, and if it is appropriate at any stage to lay charges, either before or after the coroner's inquest has taken place, he may rest assured that this will be done.

**Mr. Rae:** The Attorney General will be aware that one of the initiatives taken some time ago by the member for St. Andrew-St. Patrick (Mr. Grossman) when he was the Minister of Health, and subsequently by Mr. Norton when he was the Minister of Health, was to appoint a crown attorney who had specific responsibilities for prosecutions dealing with nursing homes. It is my understanding that this individual has now gone back to working directly in the crown attorney's office and is no longer attached specifically to the Ministry of Health.

Does the Attorney General not think it worth while for him and the Minister of Health (Mr. Elston) to get together on this issue and ensure that the most effective gathering of evidence, the toughest and most stringent examination, is made without regard to special position in society or anything of that kind so we can be assured that justice is done and that difficult questions are asked and answered with respect to what has taken place here?

**Hon. Mr. Scott:** I want to emphasize, first of all, that the Minister of Health and I keep in close contact on this and on other matters.

The fact is that it is not the practice of the crown law officers to lay charges when there is inadequate evidence to sustain them. We are investigating to determine whether the evidence is available. If the evidence is available, charges will be laid. If the evidence is not available after the investigation, charges will not be laid.

#### URBAN TRANSPORTATION DEVELOPMENT CORP.

**Mr. Rae:** I have a question for the Premier. It arises from some of the comments he has been making about the Urban Transportation Development Corp. The Premier will be aware that the previous government appointed Mr. Gracey to carry out recommendations with respect to privatization which I understand the government, as the inheritor of the Conservative

mantle, is determined to carry on with. That is how I would interpret the various comments the Premier has made.

One of the comments made throughout the Gracey report is that even if one accepts the notion of privatization, and setting that aside for a moment, the way in which it is done is extremely important. The Premier will be aware that he has made what I can only regard as casual, offhand comments with respect to the state of affairs of UTDC and what the state of profitability of the company really is. He raised it in a very speculative way in the middle of a speech a couple of weeks ago. In answer to questions from my colleague the member for Port Arthur (Mr. Foulds), he made several statements to the House that can only have reduced confidence in that company.

Even if the Premier is really serious about carrying on the possibility of privatization, why in the name of goodness is he dealing with it in that way? Surely he must understand and appreciate that the effect of his remarks is going to be to reduce confidence in UTDC and cause grave concern for most people who now are working there.

**Hon. Mr. Peterson:** Let me assure the honourable leader that I am not an ideologue about this situation. I am interested in the future of UTDC. I am concerned that it is in the appropriate place. As I have said before, there are opinions from many people that if there were some element of privatization, it could entertain and be engaged in a number of businesses it is not now engaged in, and that would substantially contribute to employment and to the viability of UTDC. That is why we are looking at the options.

In response to the member's question that I should not be talking about this in public, I am surprised he would put it that way because I believe we should be open and frank about what our intentions are. I cannot think of anything that would more undermine the confidence of the people who work there, and indeed of the customers, than having some secret things going on behind the scenes. I have clearly suggested we are looking at that and at a number of other acquisitions the former government made, such as the Suncor shares and a number of others, for the most effective way either to recover losses or to contribute to ongoing viability.

I want to assure the member of one point. One of the terms and considerations in this whole exercise is to maintain, enhance and expand employment, not to reduce it. We are there and



we will make the enhancement and maintenance of that employment a condition of any deal with respect to privatization. I think the fact that we have been candid with everyone in this regard would contribute to confidence rather than erode it.

**Mr. Rae:** The government has not been candid. The government has been half-baked and disorganized. Let us be very clear. What we have here is the suppression of a confidential appendix to a report that listed a number of companies set out by Mr. Gracey as eligible for privatization. We have not seen that report. We have been told we cannot see that report because, to quote Mr. Gracey, "It would almost certainly destroy the confidentiality necessary for commercial and competitive operations and could undermine the government's negotiating stance in any divestiture."

We do not have that list, so the Premier should not talk to me about candour. The Premier has not been candid at all. He has simply been half-baked. He has gone off and said: "There may be some. Maybe it will be UTDC. Maybe it will be Suncor. Maybe it will be the Ontario Land Corp."

This government cannot be taken seriously in what it is trying to do as economic manager of the province with respect to crown assets and corporations. Specifically, if the Premier is so determined to be candid, why does he not present us with a list, tell us what the list is, make it all very clear and public and be up front and organized about the way he is going about running the business of the province instead of this half-baked way in which certain corporations are listed in a casual manner and we are not told about anything else?

10:40 a.m.

**Hon. Mr. Peterson:** It is strange to be lectured by a member of the New Democratic Party on how to manage. But that having been said, I am having difficulty figuring out the member's opinion. Is he telling me I should not talk about it or that I should give him everything? What is his position on this matter?

I have been candid about our intention to review the disposition of certain crown assets, obviously to try to enhance them or to cut losses. I have said that. Is he asking me for the financial details? Is he asking me to be involved in those negotiations? Is he asking me to sit down and go over all the figures so he can do the deal? What is he asking me?

I have told him, and I will say again, that we are looking at the situation. We are going to

protect it, we are going to do the best we can in the circumstances and we will look at the specifics of the deal when it comes down the pipe. I do not think it is constructive that all the details of the negotiation be public at this point; they obviously will be at some point if a deal is made.

My sense is that those employees, who may have had some concern, now that we have had the discussion—and the member for Port Arthur (Mr. Foulds) can perhaps assist us in this—will be much reassured by my comments. They will know what is going on and they will know that we are there to protect them.

**Mr. Brandt:** If the Premier feels some discomfort in being lectured by the NDP, perhaps he would feel more comfortable in being lectured by the Conservatives.

**Mr. Speaker:** Is that a question?

**Mr. Brandt:** As someone who has had some business experience, he must surely understand that by making the public aware of the fact that he is going to conduct some kind of quasi-fire sale of assets, immediately at that point he diminishes the value of those assets very substantially, obviously with one ulterior motive in mind, to embarrass the former government.

Will the Premier confirm or deny that as a result of these musings with respect to some of the assets he proposes to sell off at whatever cost, at whatever price, he has had some indication of interest from Quebec firms? Will he at this time identify whether or not he has had such expressions of interest?

**Hon. Mr. Peterson:** First of all, let me assure the honourable member that it is not my intention to try to embarrass the former government. They have embarrassed themselves. I am trying to do the best with a situation that even his members are embarrassed about. Take Suncor, for example, for which the former government paid \$650 million.

**Mr. Brandt:** Let us take the Urban Transportation Development Corp. as the example.

**Hon. Mr. Peterson:** I am giving the member an example of the kind of problems we are trying to deal with constructively. The answer to his question about UTDC is that there has been a substantial amount of interest from various sectors. We are analysing those options, discussions are proceeding, and we will make the best deal for Ontario and for the people who work there.

**Mr. Foulds:** I would like to ask the Premier whether he intends to follow the plans of the Tory

task force to divest the province of its crown assets. Specifically, does he have definite plans to sell all or part of UTDC? If he does not, why does he engage in this philosophical meandering that is causing damage to the corporation, both locally in Kingston and Thunder Bay and internationally on the market?

What plans does he have to maintain one of only four secondary manufacturing plants in northern Ontario? There are only four that employ more than 400 people. What plans does he have to maintain them?

**Hon. Mr. Peterson:** Let me assure the honourable member that this would be a condition of any deal we made regarding that plant. In particular, Can-Car Rail, which he is referring to, would be maintained, as well as the Kingston facility. I want him to understand this and to feel assured of it. I want him to go home this weekend and tell everybody in Thunder Bay that those jobs will be maintained, and he can take the credit for it. I would like him to do that.

Second, it would be better, I believe, to let people know of the kinds of discussions we are engaged in than to suppress them. I have seen the Gracey report, and he has a number of suggestions, obviously. I think it is healthy for every government to review some of the decisions made in the past and to look for better ways of optimizing our opportunities and of prudently looking after taxpayers' dollars. That is why we are engaged in the exercise that we are, and we will continue.

#### YOUTH EMPLOYMENT

**Mr. Gillies:** My question is to the Minister of Skills Development. During and since the spring election campaign, both he and his leader have made much of their contention that they were going to create jobs for young people and new opportunities for young people. In fact, because of their inaction, absolutely the reverse has occurred.

Why has the minister frozen grant approvals and new youth employment jobs under the Ontario Youth Corps program and why has he failed to renew funding for the Youth Works program? Through his inaction and his ministry's inaction, he has hung out to dry hundreds of young people like those in the galleries today who could be working.

**Hon. Mr. Sorbara:** I take issue with the facts the honourable member has presented to the House. This government and my ministry will very shortly be announcing a youth employment program which is—

Interjections.

**Hon. Mr. Sorbara:** The fact that the members say a whole summer has been lost is completely incorrect. All the programs, a plethora of programs, a hotchpotch of programs, as the former minister used to describe them, have been continued during the summer. Some expired on October 1, but I would inform the member, although he knows full well, that funds have been provided for a transition period, from October 1 until a new program comes in, that involves consolidation and simplification of programs, a program that will be comprehensible to young people and a program that will be consistent and fulfil the promises that this party and this government made during the campaign and thereafter.

**Mr. Gillies:** The young people of this province cannot eat the minister's promises. He said he was going to take action. He said he was going to increase opportunities. In fact, he has done nothing. We are not talking about the future. Why has the minister not approved grant approvals?

We have complaints here from community groups and municipalities in Atikokan, Brantford, Kingston and Toronto, all asking why they cannot get their grants approved to put these young people to work. By the minister's answer, I believe he is indicating that he and his leader have misled the public. They have also misled the New Democratic Party in their accord and, as recently as Tuesday, the Premier has misled this House.

**Mr. Speaker:** Order. I ask the honourable member to withdraw the words stating the Premier has misled this House.

**Mr. Gillies:** Mr. Speaker—

**Mr. Speaker:** Yes or no?

**Mr. Gillies:** —on Tuesday in this House the Premier said he would increase employment—  
Interjections.

**Mr. Speaker:** Order. Yes or no?

**Mr. Gillies:** I know what I have said is factual and I cannot in good conscience withdraw it.

**Mr. Speaker:** I understand the member will not withdraw and, therefore, I have no other course but to name him. Will the Sergeant at Arms ask the member to leave the chamber.

Mr. Gillies left the chamber.

10:50 a.m.

**Mr. Warner:** Aside from the wild rantings of the member for Brantford (Mr. Gillies), perhaps the minister could supply a few more details. In



his announcement on a new approach to skills development, which is impending, can he tell us now that for the first time in Ontario we will have an absolutely real apprenticeship program involving the three levels, government, business and labour? Will he be announcing that next week?

**Hon. Mr. Sorbara:** I am not sure the question of apprenticeship programs is really supplementary to that posed by our friend who just left.

We had a debate here last night about television cameras. I am sure those kinds of antics will be increased when we have some of these programs.

**Mr. Speaker:** Will you answer the question, please?

**Hon. Mr. Sorbara:** Let me respond to the supplementary as best I can without giving away all of the factual information I will be announcing in this House within a few days.

The fact is that we have had in our apprenticeship programs, particularly for young people, programs that have not concentrated sufficiently on training. The commitment the government made, and the Premier made in his ministerial statement on the first day this government sat in this House, was that our program would put greater emphasis on training and would involve a one-year guarantee for employment-disadvantaged young people who were committed to the idea of upgrading their skills.

When I announce that program, I can assure the member that those components will be there, notwithstanding the comments of the former minister.

#### FOREST MANAGEMENT

**Mr. Laughren:** I have a question of the Minister of Natural Resources concerning his announcement today of the forestry audit, something that is overdue and to which the former government would never have agreed.

How did the minister come to the conclusion he could have a legitimate audit, using numbers supplied by his ministry, given the fact that everyone knows those numbers are suspect?

May I assume the minister has read the Fahlgren report, in which Mr. Fahlgren states he found Ministry of Natural Resources sampling to be limited, its forest resources inventory an overestimate of actual timber volume and its annual allowable cut figures artificially high?

Does the minister truly believe it is possible to get a good audit using suspect figures, since the auditor he is going to appoint is simply going to audit figures supplied by his ministry?

**Hon. Mr. Kerrio:** In response to that question, I would like to share with the member the fact we have great difficulty in many areas of relating the figures to the problem. It is one of the areas with which I am grappling now.

**Mr. Foulds:** We can understand that.

**Hon. Mr. Kerrio:** I think that is a legitimate comment to make because we have many people in many industries across this great province who are quarreling with those numbers. I certainly am going to come up with the answers. The first way we are going to do that is by having this audit.

I am not going to restrict the audit to the figures that will be given to the doctor who is going to perform it. I will give him a great deal of latitude. In fact, I have already shared with the member who raised the question the fact that he is going to be invited to participate, and maybe we will broaden the parameters given to the good doctor who is going to do this investigation.

Certainly, he is going to start with figures that are there and available, but he is not going to be restricted in any way from moving beyond them and coming back with an audit all of us will appreciate. I make that offer to the former government to participate as well, because we really mean it when we say it is going to be open. We will look at all of those people who could be helpful in this very important audit.

**Mr. Laughren:** While the minister may claim the good doctor will not be restricted in his deliberations, he has given him a deadline of next July. It is very difficult to do an on-the-ground audit in northern Ontario in the winter months.

Why will he not give the auditor an extended time? Why will he not give the auditor a team of people to go out there and do the count, rather than rely on numbers supplied by the Ministry of Natural Resources, which the minister knows have been suspect for years? Why will he not have a first-class audit done that once and for all reviews all sorts of questions about the numbers the Ministry of Natural Resources has been giving us over the years?

**Hon. Mr. Kerrio:** My response to the supplementary question is not a great deal different to my answer in the first place, except to reinforce the position that the auditor will be charged with the responsibility of looking at a broader-range audit that might bring into focus many other aspects of forestry that have to do with the multi-use of our forests.

I am looking to him to provide that information in his report. In fact, we will be asking him to do that. As I said before, I have invited the member to meet with the good doctor, whom I shall name

tomorrow, in the initial stages. It is the same for any member from the former government side who is interested. There will be tripartite involvement. We all share in the value of the forest industry, and I want all the members to share in helping to make the decision.

#### SOFT DRINK CONTAINERS

**Mr. Dean:** I have a question for the Premier. We have heard him say several times this morning how concerned he is about employment and jobs in Ontario. He referred to it in his ministerial statement regarding possible discussions with the United States about trade. He referred to it in his answer to the question about the Urban Transportation Development Corp. I think I am quoting him correctly when he said, "The government's intention is to retain, enhance and expand employment." That is what he is promising us here and now, but how much is that promise worth?

**Mr. Speaker:** That is a good question.

**Mr. Dean:** That is a rhetorical question. I do not think it will take him long to answer that question.

I would like the Premier to cast his mind back about six months when he was going around Ontario during the election campaign making all kinds of promises in various places.

**Mr. Speaker:** Please place your question.

**Mr. Dean:** The now Premier told a group of steelworkers in Hamilton that he was concerned about the possibility of job losses. I will quote him: "It would be virtually irresponsible to take 600 Hamilton jobs and throw them down the drain for no real reason." What does the Premier have to say now to the hundreds of steelworkers in Hamilton whose jobs are threatened because his government has broken its promise and is introducing aluminum pop cans?

**Hon. Mr. Peterson:** I remember those discussions well because we are very concerned about employment in the steel companies producing for the container industry. I had extensive discussions with them all and they all supported our initiative. We have given them two more years before the phase-in of aluminum cans. All of them told me there would be no reduction in employment. The steel companies were very happy with the decision, as were the workers. It gives them time to compete.

The other thing that was said to me was that they were happy to have a government that made decisions, one that did not sit around taking polls and worrying who it might offend.

They had gone through so much indecision and uncertainty for years that everyone was worried. Now we have made the decision, supported, interestingly, by the vast majority of people who are concerned about it. Obviously the aluminum people are not particularly happy with our decision, but I am assured by them all, by Mr. Phoenix, Mr. Allan and the others, that employment will be protected, that steel can complete and that it was a red-letter day for Hamilton.

**Mr. Speaker:** Do you have a short supplementary?

11 a.m.

**Mr. Dean:** Yes. I always come right to the point. I do not know how the Premier has the audacity to say that a day when jobs are threatened is a red-letter day for any community. Perhaps in his community that is not a problem, but in my community and in the Hamilton-Wentworth region it is not a red-letter day when the steel companies are threatened with the loss of 600 jobs.

In spite of what the Premier has said, the steelworkers in the Hamilton area are not confident the promise has been kept. What is the Premier going to do to keep the promise that steel jobs in Hamilton will be protected? They are not protected now.

**Hon. Mr. Peterson:** I am not sure to whom the member has been talking; I think he is misinformed on the subject, I say with great respect.

I have talked extensively with the steel people, as have my colleagues the Minister of the Environment (Mr. Bradley), the Minister of Industry, Trade and Technology (Mr. O'Neil) and others. That was a major consideration in our policy.

So the member is very clear—he can read it in Hansard later if he misses it now—I say again, they tell me there will be no loss of jobs. Therefore, the concern the member has expressed in this House is not a legitimate one. The decision is a good one for Hamilton and is supported by the steel industry. I think the member can go back this weekend and say Hamilton has done very well.

#### NIAGARA REGIONAL POLICE

**Mr. Swart:** My question is for the Solicitor General. I am sure, even with his rather short term in office, he will be aware of the long history of rather serious allegations against the Niagara Regional Police force. These were allegations of brutality, not responding to civil-



ian complaints and charges that members of the former commission took illegal payments for expenses.

I am sure the minister knows there was an investigation authorized by the previous Solicitor General after a lot of prodding from this side. It turned out to be an in camera investigation and no report was released.

**Mr. Speaker:** Mr. Minister, I believe he is asking whether you are aware of these things.

**Mr. Swart:** No.

**Mr. Speaker:** I thought that was the question.

**Mr. Swart:** Mr. Speaker, I thought the Leader of the Opposition (Mr. F. S. Miller) had set a precedent in the past couple of days that could not be exceeded; therefore I thought you would be rather lenient with other back-bench members.

**Mr. Speaker:** I am sort of letting you know I am not.

**Mr. Swart:** Is the Solicitor General aware of the allegations about illegal wiretapping made 18 days ago against that police force? Has he read this morning's paper, in which a detective of the force is alleged to have broken either the Criminal Code or the Police Act to get information for a person with a criminal record who describes himself as being "considered a member of organized crime by the Ontario Attorney General?"

According to the newspaper article, that information resulted in that man's beating his wife. I simply want to ask—

**Mr. Speaker:** Order.

**Mr. Swart:** This is my final sentence. Does the Solicitor General think this all adds up to the need for an independent and open investigation, preferably headed by a respected judge?

**Hon. Mr. Keyes:** In answer to the three questions that were asked—I assume all the supplementaries were rolled into that—yes, I am aware of the previous allegations and of the investigation work that was done at that time.

With respect to the question as to whether we should have an open investigation, there are investigations going on within the Ontario Police Commission at this moment with regard to the comments made, even in today's press. It would not be appropriate for me to make any additional comments about the state of that investigation while it is still going on in a matter that may end up in other litigation.

**Mr. R. F. Johnston:** It is not a public inquiry. Come on!

**Hon. Mr. Keyes:** I did not say it was a public inquiry.

**Mr. Swart:** I wonder whether the minister recalls that on the same day the report on the Niagara Regional Police was announced, last July 30, a prominent daily paper carried the news that the Niagara Regional Police was the subject of more civilian complaints than any other police force of its size in Ontario and had twice as many complaints as Hamilton-Wentworth and three times as many as Peel? Would this not in itself convince the minister not only that an investigation is needed but also that he should take the necessary steps to have a civilian complaints bureau for the Niagara Regional Police.

**Hon. Mr. Keyes:** Perhaps I can answer the last of those three questions this time. I believe the matter of extending the idea of a citizens' complaints bureau is still being reviewed by the Attorney General (Mr. Scott). We have seen the example in Metropolitan Toronto, which works extremely well, and there have been discussions of its expansion.

At the moment, as the honourable member knows, most of those investigations are carried out by local police commissions. If people are not satisfied, they come to the Ontario Police Commission and, as I said in my earlier statement, we are looking at it in the Ontario Police Commission at the moment.

#### RED MEAT PLAN

**Mr. Stevenson:** I have a question for the Minister of Agriculture and Food. As a result of his meeting with the federal minister yesterday, will he inform the House when tripartite stabilization will be in effect in Ontario and what new programs he will announce to help the Ontario producers before signing the tripartite agreement?

**Hon. Mr. Riddell:** Let me preface my remarks by saying that I was extremely disappointed that a question was not asked pertaining to agriculture the first day we came back from the summer recess. At least it shows the importance we place on agriculture, and it is somewhat gratifying to see that the Conservative Party now recognizes the relative importance of agriculture in this great province of ours.

I also understand the questioner was somewhat critical of the hat I was wearing the other day. Listen, "KC" means "King of the Castle," the castle being the ministry and the king being the minister. I happen to make the decisions, something the people over there were never able to do.

**Mr. Speaker:** Order. Are you coming to the answer?

**Hon. Mr. Riddell:** I am, indeed. We are making great progress towards a tripartite stabilization program. When I went to the ministers' conference two weeks after I became minister, I was the one who got it back on to the agenda, and when we sat around the conference table, I learned that it was the fourth time that this had been discussed at the conference table. In other words, the people over there had three years to do something about it and they did nothing.

We are on the verge of getting a red meat agreement signed. I hope and trust it will be signed by the end of this month or early in November. When we get that agreement signed—and that is progress those people could not make—retroactive payments will be made to the beef and pork producers on their second and third quarters.

**Mr. Stevenson:** Very clearly, the wording in the tripartite stabilization agreement seems fairly binding. I would think the minister would want to give some special help to the producers before signing that agreement, because the other provinces are going to have five years to phase out their programs. What special things is the minister going to do for Ontario producers before signing that agreement?

**Hon. Mr. Riddell:** Let me remind the honourable member that shortly after I became the minister, we introduced what was considered by the farming community to be the best program they had seen in years. That was the Ontario family farm interest rate reduction program, a program that will help 10,000 farmers, if not 13,000. We have not received one critical comment about that program.

I have already indicated that we have said right along that we would make retroactive payments consistent with tripartite. These payments, I trust, will be coming out by the end of the month or early in November.

11:10 a.m.

#### HUMAN RIGHTS

**Ms. Bryden:** I have a question for the Minister of Tourism and Recreation. As he knows, Justine Blainey, who is a very qualified girl hockey player and a constituent of mine, has been prohibited from playing for the Toronto Olympics in the Metropolitan Toronto Hockey League because the Ontario Hockey Association's rules ban female players, and the Ontario Supreme Court has recently ruled that subsection 19(2) of

the Ontario Human Rights Code which permits this ban is a reasonable violation of the charter.

In the light of the fact that the minister is on record as supporting the decision of the Attorney General to repeal subsection 19(2) and has said in a recent letter to me that he felt an initiative-to-change attitude would be a desirable course of action, will he undertake such an initiative by bringing the parties together as soon as possible to see whether some arrangement can be made to enable Justine to play this year with the team for which she has qualified, so she will not suffer the loss of another year in the development of her promising hockey career?

**Hon. Mr. Eakins:** I certainly support the Attorney General in his announced plan to repeal subsection 19(2) this year. I have met with some of the people and the lawyer for Justine Blainey. My opinion is that if the coaches and players on the team she is involved with and the people in the league have no objection to her playing in the league, there is no reason why she should not be able to play in that league. The Attorney General has taken a major step to repeal subsection 19(2) and allow an appeal to the Ontario Human Rights Commission.

**Ms. Bryden:** That route will not solve this year's problem, because there will still be legislation to pass and then a Human Rights Code application or complaint. The minister will recall the Sopinka Task Force on Equal Opportunity in Athletics in 1983 recommended that sports governing bodies which failed to provide equality of opportunity in sports activities might be subjected to the withholding of government grants as a sanction. While I understand the Ontario Hockey Association—

**Mr. Speaker:** Is the minister aware of that recommendation?

**Ms. Bryden:** I have one question about the Ontario Hockey Association, which has enforced the ban. I understand they do not receive direct government grants, but they do use publicly constructed and subsidized facilities. Does the minister think they should be allowed to continue to use those facilities while they retain rules that discriminate against qualified female players?

**Hon. Mr. Eakins:** I think the best approach is the one that is being taken at present; that is, to repeal the section in a democratic way and to allow an appeal to the Ontario Human Rights Commission. I have met with some of the people involved. In her case, I think it is an issue for the people in the league to resolve. If there is no objection to her playing, by the league, her team,



the coaches and the players in the league, I see no reason why on that basis they should not be able to solve it themselves. I support the Attorney General in the repeal of this section. I could not say the facilities should not be used. It is an area they must try to resolve themselves. I am very understanding of the honourable member's question.

**Mrs. Marland:** I am encouraged by the interest of the New Democratic Party in this subject. The Progressive Conservative Party is having a seminar on October 26 and 27 to address the question of women in sports.

I would like to ask the minister whether he would have considered public input from the people who are actually involved prior to his making a decision to go ahead with the amendment. Obviously, the need for the question to be addressed is before this government, but it is rather interesting that it is our party that has taken the initiative to find out whether the women in sports want the amendment. We are going to be very interested in hearing the results.

**Hon. Mr. Eakins:** This is simply an opportunity to allow an appeal to the Ontario Human Rights Commission. It does not state what the decision of the commission is going to be; that is up to the commission. We feel an opportunity should be available for anyone to appeal to the commission, and that is what we are doing. We are allowing an appeal rather than an exemption. I support the Attorney General on that.

#### DISASTER RELIEF

**Mr. Rowe:** My question was to the Premier, but I assume he is out tuning up his voice to repay his debt. I shall direct my question to the Treasurer.

In May, as we all know, central Ontario was devastated by a tornado. Lives were lost and property was damaged. The previous government pledged to match relief donations on a three-to-one basis. On June 6 and July 5, the present Premier promised to honour that pledge. To date, more than \$7.5 million has been raised privately, but this government has contributed \$2 million. Is this another broken promise?

**Hon. Mr. Nixon:** The policy is as the honourable member has stated it. I understand that among the rebuilding in the area is the Barrie Raceway, which was opened a couple of days ago after the devastation of the tornado.

The actual funding on a three-to-one basis goes forward, to the extent that funds are required to meet applications from the people who were injured or whose property was

damaged, when the bills are approved by the local committee. I understand there are ample funds for that purpose.

**Mr. Rowe:** The government is committed to match on a three-to-one basis. We did not put any strings on it. Service clubs and business organizations have been calling my constituency office to say this government is not living up to its commitment; they are not going to put up any more of their money. Should I tell my constituents this is another broken promise; that this government does not intend to put up three-to-one?

**Hon. Mr. Nixon:** I can assure the member this government will live up to this promise as well as to all others. We must be very grateful for the generosity of the citizens in the member's community and elsewhere across the province, including members of this House, who contributed of their own free will and accord the dollars to assist in the rebuilding. The province agreed to contribute three-to-one to the extent that bills approved by the committee would be paid; that is what we have undertaken to do.

#### USE OF TIME IN QUESTION PERIOD

**Mr. R. F. Johnston:** On a point of privilege, Mr. Speaker: This may be in conflict with the privileges of other members of the House, but I wish you would become much less lenient in question period with preambles and long-winded questions, adding along with them some of the answers, and would start to exercise your power in respect of those who are on the list for questions but who are not going to get a chance.

**Mr. Speaker:** I will not make any comment but I will note it in the record.

**Hon. Mr. Sorbara:** On a point of privilege, Mr. Speaker: Referring back to the antics of about half an hour ago when the member for Brantford (Mr. Gillies) was ejected, your reference was to the fact he had accused the Premier (Mr. Peterson) of misleading the House. I think if we go over his remarks, he said both the Premier and I had misled the House.

**Mr. Speaker:** I will check that out.

#### PETITIONS

##### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Brandt:** I have a petition signed by 245 individuals in Sarnia and the surrounding area.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the sincere expectation of more than 500,000 students and staff of the separate school system of Ontario and nearly four million separate school supporters in the province of Ontario; and

"Whereas it was clearly the intent of our forefathers to treat both sectors of our common school system equally; and

"Whereas this intent is evident in successive acts of the Legislature since 1841; and

"Whereas the rights of separate school supporters are now protected under the Constitution of Canada; and

"Whereas deviation from past practice has occurred within the last 20 years, whereby trustees of the nondenominational sector of the common school system have been given the right to administer secondary education; and

"Whereas similar rights have not been granted to the trustees of the separate school sector; and

"Whereas the then Premier, the Honourable William Davis, on June 12, 1984, informed the Legislature that it was the intent of his government to empower Roman Catholic separate school boards to operate secondary schools for secondary students, commencing September 1, 1985; and

"Whereas this intent was unanimously supported by all parties in the House;

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

**Mr. G. I. Miller:** This morning, I have two petitions. One reads exactly the same as the one read into the record by the member for Sarnia (Mr. Brandt). I will not read it in full.

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement without delay the policy on the funding of the completion of the separate school system in order that it can be applied on September 1, 1985.

"We further petition that this Legislature protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

It is signed by Donald O. O'Rourke, Grand Knight of Father J. M. Fogarty's Council 8480, from Exeter, Ontario, dated September 5, 1985.

The second petition, signed by 28 people, is as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the proposed extension of funding of secondary education will significantly change the character and delivery of secondary education throughout Ontario, reducing the density of students and the variety of educational program offerings; and

"Whereas the decision to extend public funding to Roman Catholic separate secondary schools will have been made without the benefit of public input, legislative debate and in-depth studies of the potential impact of such a change in policy; and

"Whereas the necessary changes in legislation and regulations will be found to be more responsible, the subjects subjected to greater consideration and evaluation than is possible before the commencement of the 1985-86 school year; and

"Whereas the required program and accommodation modifications will require more planning time than is available prior to September 1985; and

"Whereas any legislation that is inconsistent with the Constitution is to the extent of this inconsistency of no force or effect,

"We petition the Ontario Legislature to delay implementation of the proposed separate secondary school funding until appropriate constitutional and acceptable legislation is in place."

The petition is from Frank Falconer of RR5, Clinton, Ontario.

**Mr. Barlow:** I have a petition signed by 19 residents of Cambridge.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the sincere expectation of more than 500,000 students and staff of the separate school system of Ontario and nearly four million separate school supporters in the province of Ontario; and

"Whereas it was clearly the intent of our forefathers to treat both sectors of our common school system equally; and

"Whereas this intent is evident in successive acts of the Legislature since 1841; and

"Whereas the rights of separate school supporters are now protected under the Constitution of Canada; and



"Whereas deviation from past practice has occurred within the last 20 years, whereby trustees of the nondenominational sector of the common school system have been given the right to administer secondary education; and

"Whereas similar rights have not been granted to the trustees of the separate school sector; and

"Whereas the then Premier, the Honourable William Davis, on June 12, 1984, informed the Legislature that it was the intent of his government to empower Roman Catholic separate school boards to operate secondary schools for secondary school students commencing September 1, 1985; and

"Whereas this intent was unanimously supported by all parties in the House;

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

**Mr. Philip:** I beg leave to introduce a petition signed by 586 constituents of the riding of Etobicoke.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas Bill 30, extending public funding to Catholic high schools up to and including grade 13, has now passed second reading in the Legislature, we petition that this legislation to fund a complete separate school system be implemented without delay and that it be applied as of December 1, 1985."

**11:20 a.m.**

#### AMALGAMATION OF TOWNSHIPS

**Mr. Wildman:** I have a petition signed by 106 people from Striker and Cobden townships.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and in particular the Minister of Municipal Affairs (Mr. Grandmaître):

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas, we understand the province of Ontario, through the Ministry of Municipal Affairs, and the incorporated town of Blind River are presently negotiating the amalgamation of the above noted areas," Striker township and Cobden township, "to be completed in the very near future; and

"Whereas, the incorporated town of Blind River is heavily burdened with substantial tax deficits and may cause unfair and substantial increases in property taxes in our areas without the increase and benefit of any services that the residents of the above noted areas now receive; and

"Whereas, there is the strong possibility of a new municipality being created by the division of the incorporated township of North Shore, which may be able to offer equal services or the necessary service to our area without the burden of a heavy tax deficit to the above noted residents;

"Therefore, we request that all efforts now being made to amalgamate the incorporated town of Blind River and the unorganized township of Striker, and more specifically the subdivisions of Forest Glen, Birchwood Circle and Huron Estates, be delayed until a final decision is made as to the creation of the new municipality for North Shore and the residents and their representatives of the above noted unorganized area be given an opportunity to investigate and compare the benefits of joining either of the above noted municipalities."

#### TEACHERS' LABOUR DISPUTE

**Mr. Reycraft:** I have a petition to His Honour the Lieutenant Governor and the members of the Legislative Assembly of the province of Ontario, signed by approximately 800 constituents of Wellington county, which reads as follows:

"We, the high school students and concerned citizens, protest the Wellington county high school teachers' strike. We are not taking sides. However, the students have a right to an education and we petition the government to do everything in its power to help them get back to school before the strike jeopardizes their school year and credits. Every day wasted not talking is another day that the students have to pay for. The students should not be caught in the middle."

This is respectfully submitted.

**11:30 a.m.**

#### MOTION

#### COMMITTEE SUBSTITUTIONS

Hon. Mr. Nixon moved that the following substitutions be made on the standing and select committees: on the standing committee on members' services, Mr. Poirier for Mr. Polsinelli; on the standing committee on regulations and private bills, Mr. McGuigan for Mr. Bossy, Mr. Haggerty for Mr. McKessock; on the standing committee on resources development, Mr. Rowe

for Mr. Bernier, Mr. D. W. Smith for Mr. G. I. Miller, Mr. McGuigan for Mr. Sargent, and Mr. Gordon to be added; on the standing committee on social development, Mr. Epp for Mr. Henderson, Mr. G. I. Miller for Mr. D. W. Smith, Mr. Bernier for Mr. Timbrell; on the select committee on economic affairs, Mr. Hennessy for Mr. Bennett, Mr. McCague for Miss Stephenson; on the select committee on health, Miss Stephenson for Mr. Pope, and Mr. Cousens to be added.

Motion agreed to.

### POLLS

**Hon. Mr. Nixon:** Pursuant to government policy announced Tuesday of this week, I have tabled additional polls on behalf of the government. They have been put upon the table, delivered to the opposition leaders and distributed as indicated in my announcement on Tuesday.

### ORDERS OF THE DAY

#### INTERIM SUPPLY

Hon. Mr. Nixon moved, seconded by Hon. Mr. Eakins, resolution 9: That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 1985, and ending December 31, 1985, such payments to be charged to the proper appropriation following the voting of supply.

**Hon. Mr. Nixon:** The members are aware that interim supply is routine under our system of financing the business of government. The member for Sudbury East (Mr. Martel), who is just coming in looking like he is loaded for bear, would be aware that without the passage of this motion most transfer payments, including payments to hospitals, doctors, municipalities, family benefits recipients, suppliers of accounts and civil servants' salaries, cannot be paid.

We have undertaken to bring the interim supply motion in a bit earlier than usual since the government has sufficient funds to pay these bills until the end of the month. As well, it is expected the budget will be brought in next week and there will be additional debate on general economic matters at that time.

I know the honourable members will feel free to talk on any subjects that interest them. It may be an appropriate time, although it is a bit late, to provide advice to the Treasurer on what he might do in the next few days. In my opinion, all those things would be in order and of interest and in every way relevant.

I also want to say that this procedure of interim supply is a good one. The procedure many years ago was that the government would bring in a routine motion, probably at the time of the introduction of the budget and the tabling of the estimates, approving interim supply for the whole fiscal year. I can remember that in our ignorance in both opposition parties the bill was often carried without objection or any comment whatsoever.

It was not an irresponsible passage on the nod, as we say, because there was ample opportunity then, as there is now, for detailed discussion of the expenditure estimates during the course of the fiscal year. However, we all know that most of the money has been disbursed when the supply bills finally come before the House, which gives the general approval of the Legislature for the total expenditure, now approaching \$30 billion. There certainly is a feeling by the members of the House that a vote at that time tends to be somewhat irrelevant.

**Mr. Martel:** Totally.

**Hon. Mr. Nixon:** Let us say completely irrelevant. The idea of not having a blanket interim supply but one that is for a period of two, three or four months, depending usually on the will of the opposition parties in that regard, is a good process. It is a vehicle for all members of the House to express their views to the financial officers of the government, as well as in the general budgetary debate.

Expenditures made to date in this fiscal year amount to \$15.2 billion. The first part of that, about \$7.25 billion, was made under the authority of Lieutenant Governor's special warrants; that is in the period from April 1 to June 30. Since that time we have had the authority of interim supply passed before June 30, and the expenditures made in that period amount to almost \$8 billion. The amount covered in the two months of this motion is expected to be about \$4.5 billion.

I can assure honourable members that my colleagues and I will listen to their comments with careful attention as long as they do not last for more than about an hour. You are aware, Mr. Speaker, that we have other important public business before the House, and the sooner we get this over the sooner I can get back to the farm.

With these few comments, I am confident of the support of members on all sides after they have had their say.

**Mr. McCague:** I rise to take part in the discussion of this motion and I very much appreciate the fact the Treasurer has seen fit to



lay out the groundwork for the discussion on the basis of the discussions he has led for a great number of years on behalf of his party. It is interesting to see him in the position of interim supply, something he has criticized for a great number of years, although today he was quite complimentary. I look forward to the budget he will be bringing to us next week. I heard, I think correctly, the Treasurer expects to bring in a budget next week.

**Hon. Mr. Nixon:** I announced there would be one.

**Mr. McCague:** I heard that, too.

**Hon. Mr. Nixon:** I also said, "God willing." Who knows when lightning is going to strike?

**Mr. McCague:** I hope it does not strike the people of Ontario when the Treasurer announces his budget. However, the Treasurer is a friend and a colleague whom we have all respected in the past. I hope we still feel the same way come next Thursday at five o'clock. I am sure he has the best interests of the people of Ontario at heart, with a little sprinkling of political undertakings in there.

The Treasurer will be tabling the first budget introduced by a Liberal government in about four decades. I suspect the honourable member has been waiting for this moment for all of the 23 years he has served in this assembly. Neither I nor my colleagues in the Progressive Conservative caucus have any intention of delaying the minister's opportunity to have his moment in the sun, and we will be voting in support of the interim supply motion.

We in the official opposition are looking forward with great anticipation to this first Liberal budget. Perhaps this is because we are confident that the first Liberal budget will guarantee that it will be the last Liberal budget for another 40 years. Perhaps it is because we are going to enjoy seeing how the Treasurer balances his own commitment to fiscal conservatism with the free-spending campaign platform of his own party and the commitments made in that famous accord with the New Democratic Party.

**11:40 a.m.**

Some have suggested the first Liberal budget will be little more than a bill that will tally up the costs of the items on the Liberal-NDP accord and present it to the people of Ontario for payment. I have more confidence in the Treasurer than that. I do not think the Treasurer is going to undermine the fiscal integrity and stability of this province simply to satisfy the ambitions of the third party.

The Treasurer, as he has often demonstrated in his role as critic, is made of sterner material.

I suspect the Treasurer is very well aware of who is the puppetmaster and who is the puppet in the relationship between his government and the New Democrats. It is for this reason the members of the third party, perhaps more than ever, and we in the official opposition are anxiously awaiting the Treasurer's first budget. Certainly, that budget will indicate to them whether they have been successful in pulling the Treasurer's strings. It will certainly serve to indicate to them just how much the government thinks their support is worth, just how meaningful and important their so-called agenda for reform really is.

We are all aware, as the Treasurer and the Premier (Mr. Peterson) never cease to remind us, that their agreement with the NDP calls for programs and policies to be pursued within a framework of fiscal responsibility. The Treasurer's budget will undoubtedly show us how it is possible for fiscally irresponsible programs to be implemented in a fiscally responsible way. The budget will no doubt also demonstrate again that what we in this party mean by fiscal responsibility and what the Liberals and New Democrats mean by fiscal responsibility are quite different things. The budget will certainly show us just what type of Treasurer the province has in the member for Brant-Oxford-Norfolk.

Almost a year ago to the day the member for Brant-Oxford-Norfolk described for this House the type of Treasurer he believed this province needed. We needed, he said, a very tough, independent and dedicated Treasurer, a person who holds himself somewhat independent from his colleagues in the cabinet.

What this province does not need is a Treasurer hostage to a party that, as one of my friends has said, believes that because two thirds of the people did not vote Liberal and two thirds of the people did not vote Tory, then four thirds of the people must have voted NDP. It is my hope the Treasurer's budget will show him to be dedicated, independent-minded and committed to maintaining the economic health of this province.

In voting interim supply, this House is giving the government the authority it requires to pay its civil servants and to make other necessary payments during the last two months of 1985, a year in which we not only have witnessed some very interesting and historic political developments in our province, but have also experienced continued economic and employment growth.

Some of my friends in caucus have suggested to me that in voting interim supply this House is really approving payment of the first instalment of the dowry the government has agreed to pay to the third party in their marriage of convenience. I do not share this view. I believe that in voting interim supply we in the Progressive Conservative Party are making a responsible effort to ensure the province runs as smoothly as possible during the next few months as the Liberal government tries to implement its budget and honour its many campaign promises. We want the day-to-day business of government to proceed normally as the honeymoon between our friends ends and as the Liberal Party demonstrates the reasons it has not occupied the government benches in some 40 years.

I think it is important for the government to know it will have the funds available to pay the civil servants and to implement and deliver its many campaign promises, programs and accord commitments. For example, the Attorney General (Mr. Scott) should be assured he will be able to pay those people on the interministerial working groups looking at the issues of equal pay for work of equal value.

I appreciate that under the terms of the government agreement with the New Democratic Party this issue was supposed to be resolved in the first session of this assembly. We were supposed to debate legislation that would implement equal pay for work of equal value in both the public and private sectors. Apparently, there is some question as to when this House will even see that legislation.

I am sure it will come as a relief to our new Minister of Housing (Mr. Curling) to know he will be able to pay his staff to administer the \$100-million program his party promised to allocate immediately for the construction of co-operative, municipal nonprofit and private rental housing. I am certain it was only the minister's concern about his ability to pay his staff that has delayed the announcement of this priority program. No doubt that \$100-million program for housing will figure prominently in the budget of the Treasurer.

I also hope that in the last two months of 1985 the government will deliver on its promise to spent \$466 million this year on job creation programs. As I am sure the members will recall, the Premier told the people of this province in the spring election that his employment programs would create a minimum of 72,000 new full-time jobs without increasing the size of the deficit.

I would not want the Liberal government of Ontario to be preoccupied with any problems of supply as it moves to honour its campaign promises to phase out Ontario health insurance plan premiums; nor do I want the Treasurer to be bothered with supply problems during his last week for reviewing the budget. The Treasurer has more weighty and pressing questions he might wish to address by way of last-minute revisions to his budget.

The Treasurer may not have determined yet whether he can deliver on his party's promise to provide \$192 million in sales tax breaks. He may wish to review his party's commitments to double the child tax credit, to establish a \$200-million rural road improvement fund, to create a \$30-million environmental superfund and a host of other measures that I estimate will cost a total of \$1.5 billion to implement in the first year.

I am sure the Treasurer would prefer to consider the possibility of implementing some of the ideas he put before this House as critic, rather than worry about the question of interim supply. Last October, in debating interim supply, one of the members suggested the Treasurer should embark on a public finance scheme, using Ontario Hydro bonds. The member suggested the Treasurer should use his initiative to see that Hydro bonds, which are backed by the province, be made available in reasonably small denominations in a convenient way to investors in Ontario.

**Hon. Mr. Nixon:** Good idea.

**Mr. McCague:** It was then, at least; we will see next Thursday. I believe the member recommended the bonds be sold through the Province of Ontario Savings Office. It will be interesting to see whether the member, now that he is the Treasurer, will use the initiative of his office to bring this plan to fruition. I was somewhat surprised to hear the member recommend that investors in the province be given the opportunity to purchase bonds backed by the province.

**11:50 a.m.**

Last year the member's leader insinuated that Ontario would not be able to honour its debt on its nonpublic borrowing or would only be able to do so by raising taxes. This indicates to me that the member for London Centre (Mr. Peterson) thinks the province is a very poor credit risk. However, the Liberal Party has evidently changed its tune on this matter. The Treasurer has assured us that, based on the benchmarks of strength, diversity and growth in our economy, our credit worthiness is sound. I think we in the Progressive



Conservative Party can take some credit for that situation; however, it is the current Treasurer who will determine how long our credit worthiness remains sound.

Given that his so-called economic statement resulted in the province being placed on credit watch with negative implications, I am not optimistic about the impact his first fall budget will have on our credit worthiness as reflected in our credit rating. It is for that reason I would urge him, if he is going to do so at all, to proceed quickly with his Hydro bond idea.

In his remarks during the interim supply debate of October 1984, the present Treasurer spoke quite forcefully of the need to protect the taxpayer of Ontario from the expense of what is referred to as double dipping. He was not the Treasurer then, but he said double dipping should not be permitted at that time or any other at any level of government. He said the time had come to do something constructive about it and say, "From now on, anybody who works for the government does not get a pension until he ceases his work subject to direct payment."

I do not know if the Treasurer remains interested in this topic. What level of support for corrective measures exists among his colleagues in cabinet? It occurred to me the executive assistant to the Minister of Natural Resources (Mr. Kerrio) once graced these chambers as the representative from the riding of Halton-Burlington. Perhaps the Treasurer could enlighten us as to whether our former colleague now enjoys the benefits of double dipping and indicate to us whether his government has any intention of addressing this issue.

Over the next few months, we will also be watching to see whether the Treasurer uses his initiative and the influence of his office to deal with the concerns he expressed a year ago about election finances. At that time, he was passionate in his condemnation of tollgating by the governing party.

The member made specific reference to charges that this party ran a tollgate in the mid-1970s. He said, "Fund-raisers at the time, with the knowledge if not the consent of the Premier, were allowing huge amounts of money to go into the coffers of the Progressive Conservative Party."

In reference to members of the executive council, the member observed: "I know these people. Being influential ministers, they simply have to half-close one eye and crook one finger and the money comes firehosing out of all the business establishments that in the past have

done business with the government and in the future hope to do business with the government."

**Hon. Mr. Nixon:** I understand that is down to a trickle now.

**Mr. McCague:** I see. Is there a leak further up in the hose?

The member warned the House, "We have to be aware of this." How right he was. Since it assumed office, the activities of his own party have proved the Treasurer to be quite a prophet. They have also proved that his concern for this type of activity is not shared by his friends on the government benches.

The party which promises free and open government, without walls or barriers, was very quick to put up the tollgate. Business people in the province have been invited to join the élite Liberal economic advisory forum. Membership costs a mere \$1,000. The Chairman of Management Board (Ms. Caplan) invited advertising agencies to breakfast to explain how government advertising contracts would be awarded in the future. It cost these firms a mere \$250 to learn how this government was planning to conduct its business. To my knowledge, that money was not contributed to the general revenue fund, even though it was public business being peddled, but to the coffers of the Ontario Liberal Party.

These are but a few of the recent examples of free and open government as practised by a party that would dearly love everyone to believe it is above that sort of crass politicking. Now it appears that what they found so reprehensible in others is quite acceptable when practised by themselves.

No doubt the Treasurer will want to reflect on this matter during the coming months. We can safely say that while we do not know what impact the ascension to power of the Liberal government will have on the provincial Treasury, its impact on the treasury of the Ontario Liberal Party has been most salutary.

If the Liberal government proves to be as effective at getting money from the taxpayers as it has been at getting money from business and interest groups, I can only suggest that we all keep a tight grip on our wallets. The New Democratic Party must be rather dismayed to find it is helping to support Liberal fund-raising efforts. This is somewhat akin to helping to pay the hit man who has a contract on one's political life.

The Treasurer may be preoccupied with the problems of supply at this time when more pressing matters demand his attention. The Treasurer may have already decided which of his

party campaign promises and accord commitments will be postponed and delayed. He may have already decided that he cannot follow through on his party's promises of sales tax breaks, OHIP phase-out, etc.

Recent public announcements by the Treasurer and the Premier have warned of tax increases and a larger deficit. This is a different tune from the one the Treasurer was singing in June when he said, "I am not going to raise taxes." The Treasurer has already warned that he may not be able to deliver on some of his promises.

Both the Treasurer and the Premier have been very busy over the summer trying to ensure they do not have to take the blame for their failure to honour their commitments in regard to any increase in taxes, a higher deficit or any loss of the triple-A credit rating. They have been running around the province doing their Mother Hubbard act. They went to the cupboard and they found it bare.

All of this is simply part of the Liberal government's blame game strategy through which they hope to make the former administration the fall guy for their own inadequacies. The blame game is an effort on their part to avoid having to admit that the promises and commitments they made during the last campaign were irresponsible, an effort to distract attention from the fact that, as this party told the people during the last campaign, Ontario cannot afford a Grit government.

The Liberal government does not want to acknowledge that we were right when we said their promises and their use of the deficit as a creative tool would only result in higher taxes, more debt and a bigger deficit. That type of behaviour has become part of the ritual on the initiation of any new government. The public will give it the degree of credibility it deserves.

All of us appreciate that the writing of a budget for a province the size of ours is a difficult and demanding task. None of us in this House envies the Treasurer his job. At the same time, I suspect many of us recognize that the Treasurer of Ontario is the envy of his counterparts in other Canadian jurisdictions.

The new Treasurer and his colleagues have assumed responsibility for a province with a vibrant and dynamic private sector and a responsible and well-balanced public sector. They have assumed responsibility for a province which in the last two years has led this nation in employment and economic growth and which will likely do so again this year. Last year our economy grew by six per cent in real terms, well

above the budget projection of 4.7 per cent and considerably better than the national growth rate.

#### **12 noon**

The current Treasurer told us in July he expects real economic growth of 4.8 per cent, a growth rate substantially better than real growth rates of between 3.1 per cent and 3.3 per cent projected for the nation. This economic growth was accompanied by employment growth. In his 1985 financial report the Treasurer noted that in the last fiscal year employment in Ontario increased by 4.5 per cent. In the last calendar year average actual employment levels in Ontario increased by 3.6 per cent, a rate of increase double that experienced in the rest of Canada.

Youth unemployment levels have also dropped. However, all parties recognize that the youth employment problem is far from solved. On that point, I would note we are still waiting for the Minister of Skills Development (Mr. Sorbara) to announce the major youth employment and training initiatives the Premier promised would be implemented before the end of summer.

On the public sector side, as my colleague the member for York Mills (Miss Stephenson) reported in June, in 1984-85, for the second consecutive fiscal year the former Progressive Conservative government of Ontario had been able to achieve significant in-year and year-over-year reductions in the deficit.

Members may recall that when the member for York Mills reported the deficit for the last fiscal year at \$1.7 billion, which was \$337 million lower than the budget plan and \$587 million lower than the 1983-84 deficit, the members of the Liberal Party and of the New Democratic Party were quick to question the accuracy of her figures. I would have thought those doubts would have been laid to rest when the Liberal Treasurer's own economic report confirmed that the deficit was indeed \$1.7 billion. Apparently that was an incorrect assumption on my part.

The Premier, at least, continues to evidence some confusion about the size of the deficit, and the Treasurer has done the groundwork to allow him to play some political games with the deficit numbers. The Premier's confusion may be caused by the fact that he and his colleagues are having some difficulty finding a way to transform the real deficit into a politically expedient deficit.

For his part, the Treasurer has already set up the straw man that will give him the option of increasing the deficit in this fiscal year while claiming to have achieved a deficit reduction. In



his July economic statement, the Treasurer told us that on the basis of the expenditure estimates of the former government, the provincial deficit in fiscal year 1985-86 would likely have been \$2.6 billion. The Treasurer told the House that a deficit of that size would put the triple-A rating in jeopardy.

The Treasurer now has positioned himself to bring in a budget with a deficit of about \$2.2 billion. That deficit would represent a \$500-million increase over last year's deficit, but the Treasurer will claim he has cut this year's deficit by \$400 million. The Treasurer's ploy will depend on the assumption that the people of this province cannot distinguish between the real figures and the imaginary ones. It is the real deficit the Treasurer's budget will produce, and not the fiction of a deficit of some budget never presented to this House, that will put the triple-A rating in jeopardy and increase the cost of government to the people of Ontario.

It is not the expenditure plans of the former government that will be presented in this year's budget. The official opposition party does not dictate the government's budgetary priorities, though it may be that the third party will. As the Liberal Treasurer has told this House, the spending plans of his government will not reflect Tory priorities but will be based on the statement made by the new Premier on the program he put before this House.

As for the triple-A rating, which the Treasurer tells us is in jeopardy and the Premier tells us is already lost, I simply say that Progressive Conservative governments maintained the triple-A rating through the most severe international recession since the 1930s. Progressive Conservative governments maintained the rating during a period of high unemployment, record deficits and negligible economic growth.

We now have a Liberal government that tells us the triple-A rating is in jeopardy in the third year of strong and sustained economic and employment growth and at a time when the former government had achieved significant reductions in the provincial deficit. If this government cannot maintain the triple-A rating under the best economic conditions this province has enjoyed in this decade, what type of management can we expect from it if we experience more difficult times?

In June, my colleague the member for York Mills described the economic performance of our province over the past year as remarkable. As my colleague noted at that time, the budgetary and economic policies of the government and its

commitment to fiscal restraint have been an underlying source of strength and security in sustaining Ontario's economic recovery.

The Treasurer does not need me to tell him that it is his responsibility to continue that remarkable record of growth or that it is his responsibility to enhance the climate of confidence and provide a stable, fiscal environment to strengthen our economic base and enable us to take advantage of new opportunities. We will be watching closely to see how the Treasurer discharges those heavy responsibilities and how he elects to spend the taxpayers' money.

In the course of my remarks this afternoon, I would have preferred to have been able to comment on some of the important economic initiatives and programs of this new government. However, because to this point the government has shown itself to be more interested in public relations than in public policy and more concerned with developing political alibis than with implementing programs, there is very little we can say on that score.

The time draws near, though, when this new administration will have to put aside its preoccupation with postering and get on with the business of government. I suspect that when they make that transition, they will find it was much easier to govern from the opposition benches. No doubt the Treasurer already has come to appreciate the truth of the old saying that all games are easier to kibitz than they are to play.

I look forward to debating the budget with the Treasurer in this House, after he has given us a better idea of how he will spend the money he has asked us to vote today.

**Mr. Laughren:** I rise to support this supply motion. How could I do otherwise, given the context in which the Treasurer put it when he introduced it earlier today?

Although I support it, I do have some concerns about this government's economic priorities. There are a number of things swirling around out there that I find disquieting. There is the Premier himself with his musings about Can-Car, for example, which are not constructive. When the Treasurer is getting the fiscal affairs of the province under control, perhaps he could include the Premier's musings at the same time in that exercise of control.

I look at what has happened with our parks system. I do not want to dwell on that today, except to say the government seems to be allowing the bureaucracy to continue to make plans about privatizing our provincial parks at the same time that it announces there is a pause in

that. The minister has asked the Ontario Provincial Parks Council to conduct hearings across the province to determine whether the privatization of those parks should continue, while the bureaucracy internally is churning out material saying, "These are the parks that could be privatized in the next two years." It is as though nothing had changed. That is something the government has not dealt with at this point and needs to.

This morning, the Minister of Natural Resources said we were going to have an independent audit of our forests. I am going to have to check my thesaurus to remind myself of what the word "independent" means and perhaps send a copy to the minister. I have never seen such innocence in all my life as that displayed by the Minister of Natural Resources.

**Mr. Wildman:** A nice word would be naïveté.  
12:10 p.m.

**Mr. Laughren:** The naïveté of the Minister of Natural Resources. I tried to say to the minister during question period that we know full well the numbers that MNR has been churning out in the past few years are simply not appropriate.

I have a letter from the former deputy minister which says, "We are not going to give you those numbers everybody has been using for the last number of years any more because they are misleading, to say the least." Those were his words. Yet those are the same numbers, churned out by the same people in the ministry, which the minister is going to turn over to the new, independent auditor of our forests. It is not a question of whether the auditor is independent himself, but rather it is a question of the numbers he will have to work with to come up with any kind of conclusion.

When the audit was made part of the accord between this party and the government, it was agreed it would be an independent audit. I appreciate the fact that an audit is being made. Heaven knows, the former government would not have conducted an independent audit if it had remained in power another 42 years. It was too defensive about it. Its record on regeneration of our forests was on the line. It would never have allowed an independent audit. It would not have mattered who was the minister or who was the Premier; that simply would not have happened.

Everybody who comments on Ontario's forests basically comes to the same conclusion. That is why I am so offended by the minister saying the numbers are going to be provided by the Ministry of Natural Resources.

Mr. Fahlgren, the erstwhile commissioner of the Royal Commission on the Northern Environment, claimed the resources inventory tends to overestimate actual timber volumes and does not contain information that permits estimates of the capacity of forest land to regenerate if the forest is cut. He also said the annual allowable cuts are artificially high. He recommended an inspection because he recognized that "estimates of timber supply have political ramifications."

This spanking new government has no reason to protect the numbers; or no reason to protect the former regime or the forestry industry in what they have done to the forests. Now is the time to get it out in the open. If this government lasts any number of years it will become defensive about what is going on in the forests; so now is the time to come clean and to have a truly independent audit.

As a matter of fact, a forester from the Nipigon area who is now retired, by the name of Mr. Marek, did a report for the former Minister of Natural Resources, the member for Cochrane South (Mr. Pope), on silviculture treatment. He stated, "The district staff quite casually admitted the situation in the bush was quite different from the situation in the records." That is pretty devastating stuff, yet these are the records that are going to be turned over to the new provincial forestry auditor.

In 1983-84, I was trying to learn a bit about forestry when I became this party's critic. I was digging in the files for numbers and writing to the ministry to try to put together a package of information. This party formed a task force, which went across the province and produced a report. My colleagues and I worked very hard in putting together a report on our forestry, and we feel good about that report.

In the middle of all this, as we were generating some heat around the issue, the Ministry of Natural Resources wrote to me. When I asked it specifically what amount of land was not being regenerated adequately, it had sent me figures earlier that said 32 per cent of the cut-over land was not available for regeneration. That was in 1981-82. In 1984, someone in the ministry wrote back and told me all land was available for regeneration. Somehow it went from 32 per cent not being available for regeneration to all of it being available. What kind of nonsense is that? That is what Mr. Fahlgren means when he says there are political ramifications attached to the numbers in forestry.

By the way, the ministry kept promising it was going to provide me with a new way of



determining what kind of regeneration there was in the forests, but it never did. To this day, I have not received it.

Those are the people who are going to provide the information which the auditor of our forests is going to work with. The minister says: "Do not be worried. The auditor will have authority to do more than that if he wants to. He does not have to sit in the Whitney Block and pore over the numbers." I do not know whether the minister has been up north in January, February, March, April or even May, but it is very difficult to do an audit on the ground in northern Ontario at that time. It simply cannot be done, yet he is supposed to report by July 1986. There are contradictions in what the minister is saying.

**Mr. Callahan:** Count them from the sky when the leaves are gone.

**Mr. Wildman:** You have the wrong kind of trees.

**Mr. Laughren:** That is right. The leaves do not fall off. I remind the member for Brampton (Mr. Callahan) that the needles stay on the trees during the wintertime.

That is bothering me about the audit, even though, as I said at the beginning, at least an audit is being done. If we are going to have an audit, for heaven's sake let us have a first-class audit. Let us take the politics out of regeneration figures once and for all in Ontario. What have we accomplished if we establish an audit, complete the audit and the numbers are suspect yet again? As a new government, what has it gained? I think it has made a political error in judgement, and I do not understand why it would do that.

We are not asking for something impossible. The principle has been established that the government is prepared to establish an audit, and it is appointing an auditor. All I am asking is that they do it up right, that they do it properly, that they make it a first-class audit so we know what is out there. Then the government will not have to listen to me year after year saying the numbers cannot be verified.

Before I move on, another thing about the forests has to do with environmental assessment. I have believed for a long time that forestry projects should not be exempt from the Environmental Assessment Act. I am not saying that everything that goes on in the forests needs to be subjected to environmental assessment, but what this government apparently is going to do is establish a class environmental assessment that will apply to all activities in the forest and, regardless of the kind of site, the industry will have to comply with that.

Let me remind the House of what Mr. Fahlgren said. Mr. Fahlgren spent a great deal of time dealing with forestry. By the way, if anyone thinks I am hard on the Ministry of Natural Resources, he should read Mr. Fahlgren's report; he is quite scathing in his remarks about the Ministry of Natural Resources. Mr. Fahlgren states the following on environmental assessment:

"How can one propose a class or general assessment of a cutting method when its environmental effects are most likely to be local and specific in nature, dependent on soil attributes and thickness, ground cover, topography, slopes, drainage patterns, watercourses and climate, to name some of the probable operative factors? What must first occur are actual assessments under the Environmental Assessment Act for proposed cutting methods for a representative variety of forest areas."

Mr. Fahlgren does not say it should be done for every project but "for a representative variety of forest areas." I can support that. There would have to be some debate over precisely what that meant, but nobody is trying to grind the system to a halt, which I heard a senior MNR person say the other day when I asked about doing site-specific environmental assessments. The response I got was, "That would grind everything to a halt, because there are 120 management units in the province, and we would not want to do that." I do not know of anyone who wants to grind forestry activities to a halt.

**12:20 p.m.**

Anyway, that is what is bothering me about the minister's statement on the audit. I intend to sit down with the auditor when he comes to town and talk to him about my fears and give him a copy of our report on forestry, which I think still stands up to scrutiny, and hope for the best. I will do anything I can to help, but I wish the minister had planned the audit a little differently and instructed the auditor somewhat differently. It does need a multidisciplinary approach; it does not need a professional forester to sit in the Whitney Block and go over the numbers.

I want to talk for a moment about a problem that is bothering me more and more, and not only me but the other northern members of my caucus; that is the deindustrialization of northern Ontario. I do not know of a phrase that describes it better. As the mining industry becomes increasingly mechanized, the number of people in the industry declines and the tax base of communities declines. As the mills are required to haul wood farther away from the site, communities

suffer again. It is happening fast, and there are enormous social and economic costs attached to deindustrialization.

Sudbury is a good example. I do not want to dwell solely on Sudbury, but to use it as an example. I know that the problems in Sault Ste Marie, for example, are very serious in terms of unemployment and welfare case loads. A couple of weeks ago, the chairman of the regional municipality of Sudbury and a couple of his senior people met with the member for Sudbury East and myself and with the Treasurer, in the latter's opulent boardroom, about some of the problems.

**Hon. Mr. Nixon:** Opulent? It is stark.

**Mr. Laughren:** The Treasurer has not been to my office lately; if he thinks his is stark, mine is barren.

The people from the regional municipality of Sudbury put together what I thought was a very good case for provincial intervention in order to resolve some of the problems. I would like to put some of their points on the record, particularly as some of the new members of the chamber have not experienced the kind of problems we have in northern Ontario.

For example, when we look at the welfare case load between 1980 and now, we find it has gone from about 2,000 to 3,200 in the community. Then there is the whole question of criminal occurrences. Most people now accept the fact that when the economy is in trouble there is more criminal activity. The number of criminal occurrences in Sudbury went from 11,000 in 1980 to 14,000 in 1985. Those are large percentage increases.

One thing that is happening with the increase in the welfare load is that a lot of the myths about welfare are being dispelled. Professor Lewko from Laurentian University did a full study and came up with the following findings about people who are participating in the Youth Corps program in Sudbury.

Youth have a positive attitude towards earning their own way. They hold a very negative view of unemployment as undesirable and even shameful. They feel that getting a job is beyond their control. They feel that job security and salary are viewed as more important than other job features. Those are four general conclusions that Dr. Lewko came to.

It seems to me, if we do not do something about it, if we have a large number of young people being unemployed with those kinds of attitudes, we are going to end up with a very

cynical group of people in the years to come. It behooves all of us to try to do what we can.

Who are the unemployed? These figures are from the same study of welfare recipients who went on to the Youth Corps program: 80 per cent of the group came from blue-collar families with parents having less than secondary school education; 74 per cent had fathers who had never been unemployed; 20 per cent of males and 34 per cent of females had never held a paid job since leaving school.

I hope and trust the Treasurer will bring in a program dealing with youth who have never had a job since getting out of school. I very much hope this will be in his budget next Thursday.

**Hon. Mr. Nixon:** Your people said that was not really at the top of the list for Sudbury.

**Mr. Laughren:** That is correct, but that does not mean that everything we can get will not help.

**Hon. Mr. Nixon:** I will try to give the member everything.

**Mr. Laughren:** That would be a change.

The Sudbury community is changing. It is no longer the lunch-bucket, hard-hat kind of community most people envision it as being. It has changed in the last number of years. The heart of the community is still the mining industry, Inco and Falconbridge; but in 1971, which coincidentally was when I was elected—I should not mention that; I will be blamed for the decline—

**Hon. Mr. Nixon:** If the shoe fits, wear it.

**Mr. Laughren:** I thought I would get that in before the Treasurer did.

Employment at the two major employers, Inco and Falconbridge, between 1971 and 1985 has gone down from 26,000 to 12,000. That is more than a 50 per cent drop, and it is going lower. It has not bottomed out yet, because layoffs in the neighbourhood of 1,200 have been announced by Inco, and 150, I believe, have been announced by Falconbridge; so those numbers are going to be even lower.

All this has had an effect on the prosperity of Sudbury. The regional municipality laid some interesting numbers before the Treasurer. In 1961 Sudbury was fifth in Canada in average yearly income; in 1979 we were 76th. In that 18-year period, Sudbury went from fifth to 76th in ranking of average yearly income in Canada.

Along with this, besides the welfare we have unemployment insurance benefits being paid out and in some cases it is truly remarkable to see the numbers. When they did a survey—and they were prepared to put actual names on these numbers,



so they are absolutely certain of their accuracy—46 per cent of the employable welfare clients in Sudbury were single males, 19 per cent were single females and 35 per cent were families. That is a scary number.

When we look at the age of the welfare recipient—this is what the Treasurer was referring to a moment ago—this worries us too, and it is why simply a youth job creation program is not enough for Sudbury. In the 14-to-19 age group there are 130—these are absolute numbers—and in the 20-to-24 age group, 2,400. From age 25 to 44, which should be the age group where virtually everybody is employed, we had almost 5,600 unemployed. More than half of all the unemployed are between the ages of 25 and 44, and the heart of the community is that age group. When we think of the purchasing power, when we think of people buying homes and furniture and raising young families, this is the age group that is surely the heart of any community, and that is really worrisome.

#### 12:30 p.m.

Another problem is that as the community changes and becomes more service oriented, different kinds of jobs are being created. For example, between 1971 and 1981, 125 new jobs were created for males and 10,500 were created for females. I will repeat those numbers because they are truly incredible. It is partly because of layoffs that occurred in 1977 and 1978, but the increase in employment for males between 1971 and 1981 was 125 and for females it was 10,500. Those are truly remarkable numbers.

The regional municipality laid five strategies for job creation before the Treasurer.

1. Request the provincial government to develop a community development program for northern Ontario for employable welfare clients to enable them to requalify for unemployment insurance benefits.

2. Request the federal government to change the Canadian job strategy to reflect regional disparity, and specifically to relax the criterion of 50 per cent private sector involvement in the job development program.

3. Request provincial and federal governments to allow a person on welfare funds to be utilized for community development projects.

4. Develop a local, integrated community strategy which will provide the unemployed with training and upgrading to meet future job requirements in the growth sectors of the regional economy.

5. The area municipalities should review the federal local employment assistance and devel-

opment program and decide upon appropriate action.

The municipality is trying, but it has done so before. There are only so many times you can pick yourself up off the mat. The region needs help from the two senior levels of government. However, just as Sudbury has these kinds of problems so do other communities. I believe something must be done.

The Macdonald commission report stated we had to make a decision in this country. Mr Macdonald put it in a very stark way, for which I give him credit even though I disagree with his conclusions. I think he did us a service by saying as starkly as he did: "We simply must do something. We either must opt for free trade or we will have to have a planned economy."

Obviously, a planned economy was unacceptable to him; therefore, he held out the option of free trade. In his mind, it was almost the lesser of the evils so he opted for it. I think he is dead wrong and that at some point as a nation we will come to the conclusion that we really must have a planned economy, because an unplanned economy is the kind we have now.

We see it in spades in northern Ontario. We have the exploitation of resources, selling what we can to the highest bidder, and that is it. That is an unacceptable course for a country like Canada, a province like Ontario and a part of the province like the north. It is completely unacceptable. We simply must do something about these kinds of problems; welfare, unemployment, social destruction and despair.

Can we wait for the possible benefits of what Mr. Macdonald talks about with free trade? Can we sit idly by and hope that free trade will have a beneficial impact on the north, or do we have to do something that is positive and will attempt to bail us out of the problems in northern Ontario?

The planning that must be done must include the kind of service sector growth that is directed, such as has been done partly in northeastern Ontario with the medical referral centre for northeastern Ontario. That is good. That is the kind of planning that is required. However, we also must move in ways in which we have not moved before and start getting serious about replacing a lot of the imports that are now brought in from other parts of the world.

**Mr. Haggerty:** President Reagan talks free trade and the Congress and Senate go in the opposite direction, towards more protection.

**Mr. Laughren:** That is right. If you think Mr. Reagan is talking free trade for our advantage, then I have a bridge I want to sell you.

There is also the whole question of further processing of the minerals that are in northern Ontario. We have talked about that for many years. There is the question of more tending of our forests. There are enormous job opportunities in tending our forests properly.

I do not want to be unfairly parochial, but I do not believe this Legislature as a whole knows or understands the north. There are members who do. The government is in a dilemma because it has one member from northern Ontario who is a minister. To deal with those problems that are so difficult in a cynical or politically expedient and cosmetic way would be worse, in my opinion, than to ignore the problems. If they want to deal with them that way, they should not bother. I believe the days of the member for Kenora (Mr. Bernier) are finished. They were never appropriate but in boom times they were tolerated.

Today we must, as a Legislature, provide the leadership in an attempt to reindustrialize and restructure the north, or we will witness the agonizing deterioration of a very important part of our province. We cannot sit by idly and watch the welfare and unemployment rates soar. Regardless of ideology we have an obligation to do what we can. The private sector is not going to do it. They have not done it in the past and the government has no reason to believe they are going to do it in the future.

I must believe that members will attempt to deal with the problem. One way we talked about in our caucus, and I talked about it to a couple of cabinet ministers, is to strike a small, lean and mean legislative committee and try in a serious way to come up with some recommendations.

I would support that attempt only if there were assurances it would be treated in a serious way by the government. I am not interested in another study or in junketing across northern Ontario at any time of the year. It would have to be done as a Legislature and I hope it would be a serious commitment, that the recommendations would be taken seriously and that there would be a tight time frame on the work of the committee and on the implementation of its major recommendations.

If we do not try to do something, this government has no right to complain about or to refuse to fund the skyrocketing social, welfare and unemployment costs across the north. It is no longer possible for the municipalities to carry the burden and it is incumbent upon us at least to try.

**The Deputy Speaker:** Are there any other honourable members wishing to speak?

**Hon. Mr. Nixon:** None.

**The Deputy Speaker:** The member for Wentworth.

**Mr. Dean:** I am not sure what the Treasurer said. It sounded as if he made a grunt. Perhaps—

**Mr. Barlow:** I am sure it was complimentary.

**Hon. Mr. Nixon:** He asked if any other honourable members wanted to speak. There were not any and I said, "None."

**Mr. Dean:** I know; I have been several things in the course of my life but I—

**Mr. Shymko:** The member was never a nun.

**Mr. Dean:** I have not been a nun yet and I doubt if I ever will be. Some people have said I am something like a monk but more like a monkey.

Interjection.

**Mr. Dean:** The critic for everything in front of me is saying there are great advances in medicine these days, so all things may be possible.

**Hon. Mr. Nixon:** Some things cannot be repaired.

**Mr. Dean:** I have two very brief comments to make. I know the Treasurer will take them into careful consideration when he considers what will be done with our hard-earned tax dollars for the rest of the period before the budget is finally approved, and maybe even after.

The first is GO Transit, which has been one of the runaway successes of the government of the past few years.

**Mr. Haggerty:** Well-subsidized too.

12:40 p.m.

**Mr. Dean:** I never knew of any government program that was not well-subsidized.

**Mr. Warner:** A runaway train.

**Mr. Wildman:** You are out of control.

**Mr. Dean:** Maybe I should have said railway successes rather than runaway.

Anybody who has travelled the Queen Elizabeth Way in rush hour, and I could say the same thing for many other highways around Toronto, will know that without the substantial number of commuters who are handled by the railway system, especially by GO Transit, we would be in an almost impossible situation.

**Mr. Haggerty:** It is like that every day now.

**Mr. Dean:** The member for Erie (Mr. Haggerty) has thoughtfully pointed out that there are even times other than rush hour when the Queen Elizabeth Way is crowded.

That makes it all the more important that the Treasurer and his colleagues give very serious



consideration to starting right away with the extension and enlargement of the GO system, which was begun under the previous Tory administration. I understand it has been at a standstill over the past few months. I recognize there are some problems for greenhorn cabinet ministers in coming to grips with the important decisions that lie before them.

However, there has to be a substantial commitment of provincial funds to the enlargement of the GO system, so it will deal adequately with the increasing number of people who would prefer to come to Toronto and environs by some way other than highway.

The other comment I wish to make is in an entirely different realm, but is equally important in our society. It has to do with health care of the elderly. I am sure the Treasurer knows that by the year 2000 it is estimated that approximately 18 to 20 per cent of our population will be 65 and over.

**Mr. Shymko:** Including the Treasurer.

**Hon. Mr. Nixon:** The honourable member and myself are equally concerned about that.

**Mr. Dean:** I suppose a good many of us in the House could be considered to have a future conflict of interest on this particular item. I do not think one has to declare a conflict before it happens. Who knows? We may not get that far.

It is understood that not all of that 20 per cent will require government assistance for their care and for their residential existence in the future, but a large proportion of them probably will. While our system is a good one, we have been working for some time on the institution and proper financing of home care programs. As the Treasurer knows, they exist now in two of the ministries, but with different criteria. A great deal of work has been undertaken over the past year or two to rationalize those systems.

I know this is not going to be accomplished initially without additional funding. One cannot suddenly say: "We are going to close the institutions. Everybody is going to have home care." That cannot be done. There will be a period when we will have the ongoing financing of institutional care and the beginning and growing financing of home care. In the long run, the benefit to the people concerned has to be uppermost in our minds. There is no doubt that, provided the persons are reasonably mobile, it is much better for them to have care in surroundings they are familiar with.

In his deliberations as to how the funds are to be allocated in the interim period and for the rest of the budgetary year, I would urge the Treasurer to consider very carefully encouragement of the

programs that have been begun. I ask him to make sure, with whatever clout he may have in the cabinet, that he does not have internal turf wars that blunt the effect of the good intentions he may have in his own financial field.

**Hon. Mr. Nixon:** Maybe we could retain the member as a consultant in that area.

**Mr. Dean:** The Treasurer should see me after the session, out on the turf.

**Mr. Shymko:** You are not planning to cross the floor, are you?

**Hon. Mr. Nixon:** You mean to cross back.

**Mr. Dean:** I am planning to cross the floor with the rest of my colleagues at the earliest opportunity.

**Hon. Mr. Nixon:** The member for High Park-Swansea is in the same boat.

**Mr. Shymko:** The Treasurer is the one who is spreading those rumours.

**Mr. Dean:** I would rather be in with a group of Tories than in a Liberal leaky dory.

On that high note I will end my comments.

**Mr. Wildman:** I want to make some comments on the proposal for the passage of interim supply for the government along the lines of those of my colleague the member for Nickel Belt (Mr. Laughren), who talked particularly about the deindustrialization of northern Ontario and the importance of the forestry industry.

I would like to confine my remarks in part to the report of the Royal Commission on the Northern Environment, which made some significant recommendations, particularly in the areas of forestry management and regeneration and of the participation of all residents, particularly Indian people, in the decisions on development that affect northern Ontario.

First, I would like to make clear to the government that it is our opinion on this side that the recommendations made by Commissioner Fahlgren, while part of a commission that was set up to look at the situation north of the 50th parallel, should apply in equal measure, if they are acceptable north of 50, to all of northern Ontario, that is, north of the French River.

I also want to draw the Treasurer's attention to a comment made about another royal commission some years ago: "A royal commission is of no value unless it sensitizes public opinion to the point where it demands immediate changes in the statutes. We realize that if we had no impact, they would just bury the report."

That is not a comment by a Liberal, much less by the Treasurer. It is a comment by one Brian Mulroney when he was acting as counsel for the

Quebec Cliche royal commission into construction-industry corruption in Quebec in 1975. While Mr. Mulroney does not say many things with which I agree, that is certainly one: "A royal commission is of no value unless it sensitizes public opinion to the point where it demands immediate changes in the statutes."

I must admit that as the Royal Commission on the Northern Environment continued its work and went on and on and on, many of us in northern Ontario took a very cynical view of the work of that commission, and some of us still may have some of that cynicism. Certainly, the work of the royal commission and its report in no way justify eight years of time spent, nor do they justify the expenditure of approximately \$12 million. This is the most expensive royal commission in Ontario history. Its recommendations, while some are worth while, do not justify that kind of expenditure of time and resources.

I have indicated that we believe, and many northerners believe, that the recommendations on forestry in the report and the comments Mr. Fahlgren makes regarding the Ministry of Natural Resources are very well founded. Frankly, a lot of us are surprised at that, considering Edwin Fahlgren's background, but we are pleasantly surprised.

These recommendations, which we support, particularly as they regard the participation of Indian people and forestry, have been called for by members of this party for many years. We did not require the enormous research staff and the millions of public dollars that were expended by Mr. Fahlgren to come up with those kinds of recommendations.

**12:50 p.m.**

The Treasurer will recall many discussions about our research component in this House and around the Legislature, and he will know from past experience on the Board of Internal Economy—I was going to say "inquiry"—that neither this party nor any of the parties has anything like the resources Mr. Fahlgren had. Yet we were able to come up with very similar recommendations.

Having criticized Mr. Fahlgren's commission for the amount of money it spent, I will say it would be a complete and utter waste of money, time and energy if the provincial government did not act immediately to implement the recommendations on northern control of decision-making and forest management. The residents of northern Ontario have the right to become the masters of their own fate. Some of the recommendations

of the commission should be considered very carefully.

I understand the provincial government has set up an interministerial task force to look at the recommendations of the commission. Frankly, some of the cynicism I had about the commission comes back when I hear that. What this government has done, it appears, is to have the very bureaucrats who are criticized severely by Mr. Fahlgren study his recommendations to find out how they could be implemented and how those bureaucrats themselves would lose some of the power they have had in the past. It is a bit like putting the fox in among the chickens, if one believes these bureaucrats will come up with the kind of implementation plan these recommendations require.

Some of the things proposed by Mr. Fahlgren are interesting, such as his northern development authority, since he thinks this is one way we could have northerners involved in decision-making and exert some control over the development decisions that affect the region and northern communities. This may sound funny coming from a member of this party, but I am not in favour of setting up any more bureaucratic bodies that will rule on situations in northern Ontario, even if the three members of the authority were northerners. If it just becomes another bureaucratic step, it would add to the frustrations northern Ontario residents have felt for so long, but it is worth considering. I am not sure the way the government is considering it is the best way to go about it.

Obviously, the provincial government should act immediately to accept the commission's proposals to transfer more decision-making and land and resource ownership to the Indian bands of northern Ontario. As far as the provincial government is concerned, those bands now on crown lands should be given reserve status and all the bands should have adequate resources to ensure they will have some real control over development in their areas. We agree, and we have proposed it for many years, that Indian bands should be involved in the resource management, policing, education and welfare developments in their communities.

If we as a Legislature are in favour of Indian self-government, the recommendations of the commission should be implemented immediately. I am not sure the government's approach is going to lead to that.

My colleague the member for Lake Nipigon (Mr. Pouliot) raised the question of the people of Grassy Narrows and Whitedog with respect to



the settlement of the compensation claims of those two bands, and described it as the greatest social crime that has ever been committed in this province. I certainly agree with that. I hope the government will move quickly to implement the commission's recommendations that the Reed agreement be repudiated and no additional timber be allocated to Great Lakes Forest Products Ltd. until a settlement with these bands is reached. If the government were to take that kind of position, then we might much more quickly have the kind of agreement the Attorney General (Mr. Scott) says he hopes will come soon.

It is something that must be done if we are to remove one of the worst black marks on Ontario history and bring about anything like the kind of social justice we say we support—all of us, no matter what our political party.

As I have said, the commission and the commissioner were very correct in their criticism of the Conservative government and the industry in their failure properly to manage the resources of the forest. We have a tremendous backlog of unregenerated cutover areas that must be rehabilitated. The government and the industry must immediately commit the resources required to accomplish this.

The announcement made today by the Minister of Natural Resources (Mr. Kerrio) to fulfil, he says, the commitment for an independent forestry audit is welcome in the sense, as my colleague the member for Nickel Belt indicated, that the previous government was so defensive about the situation in Ontario's forests that it was not prepared even to give the figures, which in themselves are suspect, to the public or to members of this Legislature.

As my colleague indicated, we are disappointed that the minister apparently does not understand what the word "independent" means. If the

auditor is simply to study those suspect figures, then the auditor's findings in themselves will be suspect.

If, as the minister says, the auditor does not have to do that—he can talk to other people; he can go into northern Ontario; he can even go into the field, into the bush—what kind of snowshoes and snowmobiles are we going to give him? How is he going to be able to blow off the snow to find out what is underneath in order to tell what kind of regeneration is taking place in cutover areas? It is silly. At best it indicates the minister does not understand; at worst it indicates he has been hoodwinked by the bureaucrats who have been in the ministry for too long.

I hope the government will reconsider and will give the commissioner a longer time and the staff and resources to enable him to go into the bush, get some ground experience and talk to the various people in academe, in the industry and the public sector who have been critical of the ministry in the past, as well as to ministry officials. In so doing, he could get a more balanced view and come up with his own figures and be able to tell the Legislature and the public the exact extent of our needs in Ontario's forests.

Forestry is the most important industry in this province. It employs directly and indirectly more people than any other industry in Ontario. Unfortunately, most people and most members in southern Ontario do not understand that. Many jobs in southern Ontario communities, not just northern Ontario communities, are directly dependent on the forest industry. Unless we in this province have a future in forests, we are headed for a terrible economic situation, not only in northern Ontario but throughout our province.

On motion by Mr. Wildman, the debate was adjourned.

The House adjourned at 12:59 p.m.

## APPENDIX

## ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

## TABLING OF INFORMATION

**1. Mr. Warner:** Will the Minister of the Environment please table the report of the environmental assessment advisory committee on the question of designating the Brimley Road-Highway 401 interchange subject to the Environmental Assessment Act? Further, will the minister also table a signed copy of the original letter which reports the minister's decision on the above-mentioned report? [Tabled June 10, 1985]

See sessional paper 174.

Company	Agreement
Abitibi Price Inc.	500200
Great Lakes Forest Products Ltd.	500300
E. B. Eddy Forest Products Ltd.	500400
E. B. Eddy Forest Products Ltd.	500500
Spruce Falls Power and Paper Co. Ltd.	500600

The following companies have forest management agreements which are up for their first five-year review in 1986:

Company	Agreement
Abitibi Price Inc.	500700
Ontario Paper Ltd.	500800
Domtar Inc.	500900

## INTERIM ANSWERS

The following answers were tabled after the House adjourned on July 12.

**5 to 11. Mr. Grande:** Hon. Ms. Caplan—Answers to the above questions will be provided on or about October 15, 1985.

## RESPONSES TO PETITIONS

## SCRAPYARD LOCATION

Sessional paper 56, re Zalev Brothers scrapyard.

**Hon. Mr. Bradley:** While we agree that there is a serious land-use conflict here, the Ministry of the Environment does not have the mandate to relocate industrial operations which are considered to be incompatible with the surrounding

## FOREST MANAGEMENT AGREEMENTS

**17. Mr. Laughren:** Would the Minister of Natural Resources provide a list of the companies whose forest management agreements will be up for their first five-year review during 1985 and 1986 and indicate the specific dates for each agreement? [Tabled July 5, 1985]

**Hon. Mr. Kerrio:** The following companies have forest management agreements which are up for their first five-year review in 1985:

Agreement Name	Date Signed
Iroquois Falls Forest	April 28, 1980
English River Forest	June 28, 1980
Upper Spanish Forest	August 11, 1980
Lower Spanish Forest	August 11, 1980
Gordon Cosens Forest	September 19, 1980

Agreement Name	Date Signed
Spruce River Forest	December 15, 1981
Black River Forest	March 31, 1982
Lake Nipigon Forest	March 31, 1982

neighbourhood. In the case of Zalev Brothers, the question of relocation would be more appropriately directed to the city of Windsor, which has the responsibility for land-use planning within the municipality.

The ministry has taken a number of actions to ensure air emissions from Zalev Brothers are reduced. At the ministry's insistence, equipment maintenance has been improved, additional equipment has been installed and the company's operations are kept under close scrutiny. The ministry will continue to monitor the effectiveness of the emission control equipment and will press the company for further modifications, if necessary.

The ministry will also ensure that the company continues to inspect and maintain the technology



already in place, so that the incidence of fallout caused by equipment failure will be kept to a minimum.

The ministry has established a citizens' environment liaison committee which includes representatives from the company, the citizens, the Ministry of Housing, the motel operators, unions and the city of Windsor. It is our desire to see the committee work together and with the ministry in addressing the matter.

### ONTARIO HYDRO

Sessional paper 62, re Ontario Hydro.

**Hon. Mr. Kerrio:** Ontario Hydro's accountability to the government, the Legislature and the public is set out in its governing statute, the Power Corporation act, for which the Minister of Energy is responsible. The Minister of Energy gives Ontario Hydro's board of directors direction on government energy policy.

The Ontario hydro board of directors, in turn, is responsible for the business and affairs of the corporation.

The government is reviewing additional means to improve the accountability of Ontario Hydro.

During the recent strike, the approval granted to Ontario Hydro by the Atomic Energy Control Board was for the use of qualified and licensed management personnel to operate one unit at the Bruce nuclear power development.

The Atomic Energy Control Board, established by the federal government under the Atomic Energy Control Act, is responsible for regulation of the production of nuclear electricity. The board licenses nuclear facilities to ensure they are utilized with proper consideration of health, safety and security.

### MIDWIFERY

Sessional paper 90, re midwifery.

**Hon. Mr. Elston:** The health professions legislation review is examining midwifery along with other health professions. The Ontario Association of Midwives—Midwives Coalition is an active participant in the review process. They have submitted two briefs and have actively consulted with other health professional groups. The review has also received comments on midwifery from other health professions.

Since the review is designed to examine all professions in the same context, it would be premature to consider an amendment to the Health Disciplines Act regarding midwifery at the present time. The review has not yet made

recommendations to the ministry about midwifery.

The Legislature will have an opportunity to debate this issue and be in a position to make informed decisions when the legislation resulting from the review is introduced.

### PROVINCIAL PARKS

Sessional paper 99, re provincial parks.

**Hon. Mr. Kerrio:** Following a 1975 report on government productivity entitled *The Report of the Special Program Review*, which recommended involving the private sector in the development and operation of park facilities, the Ministry of Natural Resources has involved the private sector in the operation of 18 recreation-class provincial parks over the past nine years. This type of contract operation has worked well for these smaller, recreation-class parks. There is no intention to utilize this type of arrangement in other classes of parks (e.g., natural environment or wilderness).

The parks are operated in the same manner and in accordance with the same policies and must charge all the same fees as those operated by Ministry of Natural Resources staff, except that services are provided by the private sector. A high-quality park operation is ensured through legal agreements drawn up between the private operator and the crown. Ownership of all lands and assets remains with the crown. A contract administrator employed by the ministry oversees the administration of the agreement. User surveys conducted at privately operated provincial parks indicate that park visitors have not noticed any significant difference in the way the parks are operated.

However, in the light of concerns expressed over the course of the camping season, the ministry is undertaking a review to evaluate the impacts of these arrangements, especially the effect on local employment, and to confirm the substantial cost savings to the taxpayer before extending the contracting operations to other recreation-class parks.

As part of this review, the Ontario Provincial Parks Council has been directed to hold a series of public meetings during October and November to obtain comments on the services and facilities offered in Ontario's provincial parks and particularly to review the practice of contracting out whole park operations.

Each provincial park that has been contracted out remains a provincial park. The ministry retains full responsibility for ensuring that standards are maintained and that the objectives of the provincial parks system are met.

## CONTENTS

**Friday, October 18, 1985**

### Statements by the ministry

Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Forest management</b> .....	898
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Visit to United States</b> .....	897
Scott, Hon. I. G., Attorney General:	
<b>Women's Legal Education and Action Fund</b> .....	898

### Oral questions

Curling, Hon. A., Minister of Housing:	
<b>Rent review</b> , Mr. Timbrell, Mr. McClellan .....	899
<b>Radioactive soil</b> , Mr. Timbrell, Mrs. Grier .....	900
Eakins, Hon. J. F., Minister of Tourism and Recreation:	
<b>Human rights</b> , Ms. Bryden, Mrs. Marland .....	908
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Forest management</b> , Mr. Laughren .....	905
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services:	
<b>Niagara Regional Police</b> , Mr. Swart .....	906
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Disaster relief</b> , Mr. Rowe .....	909
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:	
<b>Urban Transportation Development Corp.</b> , Mr. Rae, Mr. Brandt, Mr. Foulds .....	902
<b>Soft drink containers</b> , Mr. Dean .....	906
Riddell, Hon. J. K., Minister of Agriculture and Food:	
<b>Red meat plan</b> , Mr. Stevenson .....	907
Scott, Hon. I. G., Attorney General:	
<b>Extendicare London Nursing Home</b> , Mr. Rae .....	901
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:	
<b>Youth employment</b> , Mr. Gillies, Mr. Warner .....	904

### Petitions

<b>Roman Catholic secondary schools</b> , Mr. Brandt, Mr. G. I. Miller, Mr. Barlow, Mr. Philip, tabled. ....	909
<b>Amalgamation of townships</b> , Mr. Wildman, tabled. ....	911
<b>Teachers' labour dispute</b> , Mr. Reycraft, tabled. ....	911

### Motion

<b>Committee substitutions</b> , Mr. Nixon, agreed to. ....	911
---	-----



**Government motion**

<b>Interim supply</b> , resolution 9, Mr. Nixon, Mr. McCague, Mr. Laughren, Mr. Dean, Mr. Wildman, adjourned. ....	912
--	-----

**Other business**

<b>Visitors</b> , Mr. Speaker .....	897
<b>Environmental report</b> , Mr. Martel .....	897
<b>Use of time in question period</b> , Mr. R. F. Johnston .....	909
<b>Polls</b> , Mr. Nixon .....	912
<b>Adjournment</b> .....	925

**Appendix****Answers to questions in Orders and Notices**

Bradley, Hon. J. J., Minister of the Environment:	
<b>Tabling of information</b> , question 1, Mr. Warner .....	926
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Forest management agreements</b> , question 17, Mr. Laughren .....	926
<b>Interim answers</b> , questions 5 to 11 .....	926

**Responses to petitions**

Bradley, Hon. J. J., Minister of the Environment:	
<b>Scrapyard location</b> , sessional paper 56 .....	926
Elston, Hon. M. J., Minister of Health:	
<b>Midwifery</b> , sessional paper 90 .....	927
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Hydro accountability</b> , sessional paper 62 .....	927
<b>Provincial parks</b> , sessional paper 99 .....	927

**SPEAKERS IN THIS ISSUE**

Barlow, W. W. (Cambridge PC)  
Brandt, A. S. (Sarnia PC)  
Bryden, M. H. (Beaches-Woodbine NDP)  
Callahan, R. V. (Brampton L)  
Curling, Hon. A., Minister of Housing (Scarborough North L)  
Davis, W. C. (Scarborough Centre PC)  
Dean, G. H. (Wentworth PC)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Foulds, J. F. (Port Arthur NDP)  
Gillies, P. A. (Brantford PC)  
Grier, R. A. (Lakeshore NDP)  
Haggerty, R. (Erie L)  
Johnston, R. F. (Scarborough West NDP)  
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)  
Laughren, F. (Nickel Belt NDP)  
Marland, M. (Mississauga South PC)  
Martel, E. W. (Sudbury East NDP)  
McCague, G. R. (Dufferin-Simcoe PC)  
McClellan, R. A. (Bellwoods NDP)  
Miller, G. I. (Haldimand-Norfolk L)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)  
Philip, E. T. (Etobicoke NDP)  
Rae, R. K. (York South NDP)  
Reycraft, D. R. (Middlesex L)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Rowe, W. E. (Simcoe Centre PC)  
Scott, Hon. I. G., Attorney General (St. David L)  
Shymko, Y. R. (High Park-Swansea PC)  
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)  
Stevenson, K. R. (Durham-York PC)  
Swart, M. L. (Welland-Thorold NDP)  
Timbrell, D. R. (Don Mills PC)  
Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
Ward, C. C. (Wentworth North L)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wildman, B. (Algoma NDP)



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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**  
Monday, October 21, 1985

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC



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## CONTENTS

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, October 21, 1985

The House met at 2 p.m.

Prayers.

## MEMBER'S COMMENTS

**Mr. Speaker:** I would like to inform the members that last Thursday the member for Leeds (Mr. Runciman) raised as a point of order the suggestion that a remark made by the leader of the New Democratic Party, the member for York South (Mr. Rae), had been made in respect to an interjection by the Premier (Mr. Peterson) and not to the minister responsible for women's issues (Mr. Scott), as Hansard appeared to indicate. He questioned the accuracy of the Hansard report.

The tape has been consulted and the interjectionist's notes have also been examined. While there is some difficulty following what was said in view of the noise level, it appears that while the Premier did make an interjection, there was no break in the placing of the question by the member for York South which would indicate he was responding to the Premier's interjection.

As the members are aware, interjections, being out of order, are not recorded unless they elicit a response. It does not appear that the Premier's interjection elicited such a response. I, therefore, find that the final printing of the Hansard report is accurate in accordance with our guidelines.

**Mr. Rae:** On a point of order, Mr. Speaker: The only comment I would make is that I was not in the House when the member for Leeds raised this issue. As the one who uttered the remarks, I do not even know what remarks are being referred to. As a matter of course, I would be more than happy to assist the chair in trying to interpret what I was trying to say in the course of my participation in the House. I am always available for that kind of consultation.

**Mr. Speaker:** I suggested to the House I would look into the matter and I have reported.

## VISITOR

**Mr. Speaker:** I ask all members of the Legislative Assembly to join me in recognizing and welcoming in the Speaker's gallery today the Honourable Jeremiah C. Scott, Minister of

Youth and Sports from St. Vincent and the Grenadines.

## STATEMENTS BY THE MINISTRY

### CANADA GAMES

**Hon. Mr. Eakins:** I take great pleasure in rising to acknowledge the presence in the gallery this afternoon of a very special group of Ontarians, more than 150 athletes, coaches and team officials who represented our province so well at the 1985 Canada Games in Saint John, New Brunswick. Our athletes won 57 gold, 35 silver and 24 bronze medals at the games. Many of the medallists are among the team members here today.

The abilities our Ontario athletes demonstrated in the competitions were the result of long and hard training under competent, dedicated coaches supported by efficient provincial sports organizations. As well as winning the overall championship for the third successive time, our team maintained high standards of deportment and sportsmanship.

I am sure the more than 370 members of the Ontario contingent have brought home pleasant memories of their experiences in Saint John, of their many new friends from across Canada, of their hosts and of the organizing society, which is represented in the gallery today by its president, Mr. Richard Oland, and its general manager, Mr. George Fraser.

I most certainly have fond memories personally of the enthusiasm displayed by our athletes when I attended both the opening and the closing ceremonies in Saint John. A few moments ago Mr. Oland presented me with the official games flag which flew in Saint John and which bears Ontario's name as champion.

I am indeed proud to recognize our team's achievements and its presence here today. I invite all honourable members to join me in welcoming our team here today.

## NATIONAL UNIVERSITIES WEEK

**Hon. Mr. Sorbara:** As Minister of Colleges and Universities, I would like to offer officially our government's endorsement of National Universities Week. This year National Universities Week will run from October 19 to October 27. It

is a campaign designed to raise public awareness of our universities and of the contribution universities make to Canadian society.

During National Universities Week, campuses from coast to coast will mark the achievements of higher education. Since early this year, the national co-ordinating committee representing national, regional and provincial university associations has been active in co-ordinating activities across Canada. Open houses, forums, radio and television spots, displays, conferences, lectures and recitals, as well as an art and writing competition, are just some of the activities planned by our nation's universities during National Universities Week.

In addition to the events planned by universities, governments and the corporate sector have offered support for the week through endorsements and special events. I am pleased to inform the House that my ministry has planned a number of activities, which include two noon-hour performances by local musical ensembles.

The theme of National Universities Week is "Extending ideas into your community," an appropriate theme when one considers the significant contributions made by universities to the development of the community, the province and the nation.

National Universities Week will draw attention to the value of teaching, scholarship, research and cultural and public service activities that are an integral part of the university. Very often the many roles played by the universities in the development of our society are not fully appreciated by staff and students and may never be perceived by the majority of the public.

Ontario's universities perform a major research function for the province and the country. In addition to their crucial work in basic research, universities are active in applied research and development. Through the research activities of universities, new advances are made in forest conservation, computer technology and space research. Furthermore, as centres of medical research universities have made major contributions to treating and preventing disease. The results of the research done in our universities have enhanced and improved the quality of life for all of us.

Ontario's universities offer a wide variety of undergraduate, graduate and professional programs to a diverse and growing university population. In Ontario we have 185,600 full-time students and more than 97,000 part-time students attending universities, Ryerson Polytechnical Institute and the Ontario College of Art,

taking courses as diverse as kinesiology, medical illustration and linguistics, as well as the more traditional programs. Universities are committed to developing Canada's greatest resource, its people.

As diverse as are the programs and the people who study there, Ontario's universities offer an environment to suit individual needs—from the smaller, more intimate campuses, which concentrate resources on the provision of a sound liberal education, to the larger universities with extensive involvement in undergraduate, graduate and professional education and research.

**2:10 p.m.**

For more than 100 years, universities have been a part of Ontario's history. Queen's University, founded in 1841, and the University of Toronto, founded in 1827, are two of our oldest universities. This year two of our newer institutions celebrate their 25th anniversary. I am pleased to congratulate York University and Laurentian University on reaching this landmark.

I might also add that the Ontario Institute for Studies in Education celebrates its 20th anniversary this year.

As I have said before, our long-range goal is to ingrain in the mentality of the provincial community the importance of the post-secondary system. National Universities Week provides the forum in which both the academic and the public community can discover the vital contribution our universities make to Canada and to Ontario.

I invite each member of this Legislature to explore the university in his or her particular community and to participate in its celebrations.

#### MUNICIPAL ELECTIONS

**Hon. Mr. Grandmaitre:** My statement today is on the responsibility of choosing good local government.

Choosing good local government representatives is essential to the vitality of every community in Ontario. Nominations for municipal elections close at 5 p.m. today. On November 12, voters will go to the polls in municipalities across this province to elect members of municipal councils, school boards and hydroelectric and public utilities commissions for three-year terms.

Having served the city of Vanier as head of council for more than a decade, I know the influence elected representatives have on their communities and I respect the decisions of local electors. Many municipalities over the past three years have done a great deal to increase citizens'



awareness of local government and the work done on their behalf.

Examples of these efforts can be seen in the results of the You Decide campaign of 1982, which saw a significant increase in voter turnout, and in the 1985 Local Government Week program, in which hundreds of municipalities and their citizens participated. Clearly, much has been accomplished through these campaigns.

In this growing spirit of municipal co-operation, I am pleased today to outline for members a program to support local government efforts to inform citizens of the importance of the November 12 election. The You Decide campaign of 1985 is based on the groundwork initiated previously. A resource kit has been sent to every municipality, containing basic materials required for organizing local awareness campaigns.

As part of this effort, I am asking radio stations to air public service announcements for broadcast. I am asking television stations to consider using the You Decide graphic as a station break. The ministry is supplying newspapers with information that might assist them in their pre-election coverage.

#### MEMBERS' ANNIVERSARIES

**Mr. Harris:** Mr. Speaker, on a point of privilege.

**Mr. Speaker:** A point of privilege?

**Mr. Harris:** A point of order or a point of privilege, Mr. Speaker. Take your pick.

**Mr. Speaker:** I will listen carefully.

**Mr. Harris:** I am sure you will be able to pick up on what it is in a moment.

On a typical beautiful fall day, the same as this fall day today, 14 years ago, a number of members were elected to this Legislature for the first time. I thought it might be in order if I briefly mentioned the names of those members who brought their vision, excitement and enthusiasm, which they have carried on every day of those 14 years, to this Legislature.

They are the members for Port Arthur (Mr. Foulds), Nickel Belt (Mr. Laughren), Prince Edward-Lennox (Mr. Taylor), Algoma-Manitoulin (Mr. Lane), Ottawa South (Mr. Bennett), Muskoka (Mr. F. S. Miller), Don Mills (Mr. Timbrell), York West (Mr. Leluk), Peterborough (Mr. Turner) and Lanark (Mr. Wiseman).

I am sure all members will agree that this Legislature has been the better, almost without exception, for every day these members have been here.

**Hon. Mr. Nixon:** On the same point, I thought for a moment the honourable member was introducing the head table at the sore losers' club. I say that only because I cannot add to the list anybody from our own caucus.

You will recall, Mr. Speaker, since you were in that election campaign yourself, that the main issue was whether there should be an extension of funding to separate schools. What is now the official opposition was at that time unalterably opposed to it. I am not sure whether that had anything to do with the fact that I do not have a lengthy list of my colleagues to introduce who were elected on that occasion.

**Mr. Foulds:** If I might reply on behalf of the class of 1971, I would advise the government House leader that some of us were elected in 1971 endorsing the principle of full funding for separate schools. We happen to be in a different party and we remain so today. Whatever else might be said of the class of 1971, considering the list of names, the divergence of talents and representation, one must say we were a mixed and diverse lot.

#### ORAL QUESTIONS

**Mr. Speaker:** The member for St. Andrew-St. Patrick.

**Mr. McClellan:** Go for it, Larry. We're with you.

**Mr. Grossman:** Not from down there. I do not want that; thanks, but no thanks.

#### CREDIT RATING

**Mr. Grossman:** In the light of the upcoming budget, I have a question for the Treasurer. I had an opportunity to read something the Premier (Mr. Peterson), then Leader of the Opposition, said last April 5. He said, "I think we can manage our programs inside of a financially responsible context without altering the credit rating in any way."

In the light of that statement and the fact the new government, the Premier's government, notwithstanding that statement, was put on credit watch about 15 days after it took office, I wonder whether the Treasurer can indicate to us what conversations he has had with the credit rating agencies in New York.

**Hon. Mr. Nixon:** I have had no conversations with the credit rating agencies in New York.

2:20 p.m.

**Mr. Grossman:** It appears the Treasurer has fallen into the habit of the Minister of Health (Mr. Elston), the Minister of the Environment

(Mr. Bradley) and the Minister of Agriculture and Food (Mr. Riddell), not to mention the Minister of Consumer and Commercial Relations (Mr. Kwinter), in not consulting groups, not opening doors and not sharing information.

Has the Treasurer shared with anyone other than the New York credit rating agencies—he obviously does not want to talk to them—any details about a program which is being referred to by him and his colleagues in government as Operation Clean Slate, whereby one would arbitrarily write down the assets of many government holdings to \$1?

Is the Treasurer prepared to confirm or deny—no, I do not want him to be able to get out of this; let us make it clear. Will he deny that he intends, without consultation, to write down certain crown assets to \$1? Will he confirm that that is under a program he has taken to calling Operation Clean Slate?

**Hon. Mr. Nixon:** I have had an interesting summer talking to about 68 or 69 individual groups, I believe, who visited the Treasurer's boardroom. I have usually broken the ice by indicating the presence of the honourable member's picture on the boardroom wall looking down on our deliberations.

**Mr. Grossman:** Haunting the Treasurer.

**Hon. Mr. Nixon:** He is the tallest one there; let us put it that way.

I want to say in response to the question, which had something to do with consultation—

**Mr. Grossman:** No, it had to do with Operation Clean Slate.

**Mr. Speaker:** Order.

**Hon. Mr. Nixon:** He referred to consultation, I am sure you will agree, Mr. Speaker.

**Mr. Grossman:** Answer the Operation Clean Slate question.

**Hon. Mr. Nixon:** Let us get to that right away. I am not going to say anything about what is in the budget. Why should I? All the member has to do is to wait until Thursday of this week and he will know what is in the budget. I am definitely not saying anything about it.

However, I do want to say something about consultation, to which the member did refer. I have had a chance to speak to these various groups from all over the province, representing the financial community, the professions, the unionized work force, the universities and so on. It has been a great education to me, and I have the impression that all these people are looking to the new government to implement a program that is going to be better, more sensitive and more

meaningful than the program that has been in place during the past few years.

There has been a feeling that the government during the past two years has been relatively inactive at a time when this community has needed desperately the rebuilding of its resources, both in health care and in education at the municipal level, and we as a new government are sensitive and responsive to that requirement.

I am not going to say anything in response to the member's question about what is in the budget, but I am going to tell him that yes, I have consulted widely and that I hope the response to that consultation will be acceptable to the members of this House.

**Mr. Grossman:** The issue is not the one the Treasurer tried to steer us off on to. The issue is far more serious. There are two issues here, and in my final supplementary I want to ask about each of them.

If Operation Clean Slate does not appear in the budget and if the assets are not written down to \$1, we intend to put questions on Orders and Notices that will ask specifically when the budget was sent to press and what the last date of any changes to that budget was. I want to indicate to the Treasurer that if, as of 2:25 p.m. today, the answer to that question indicates changes were made to the budget after it had clearly gone to press, at least in some form, if the absence of Operation Clean Slate turns up, we will believe this change was made because of whatever information is now out and around in the community about his attempt to write down assets arbitrarily to \$1.

The question about the New York credit ratings is this: the Premier has given an assurance that he is "far too responsible to drive the deficit up widely." He believes he can do this without altering the credit rating. Now that the Treasurer has discussed consultation, I would ask him to take a moment to explain why he would not bother himself to make a single point of contact with the credit rating agencies to try to find out what their concerns are and to answer them.

**Mr. Speaker:** The question has been asked.

**Hon. Mr. Nixon:** I am sure the member is aware that the Treasury is in contact with the credit raters whenever they require any particular information about the economic status of the province. I am not an economist or an accountant, I am not even a bean counter, as the member was; but I can assure him that the relevant information about the fiscal and economic condition of the province is made available to any public agency that requests that information.



The member is aware that we actually pay the rating agencies for their responses, and we would not be doing our duty if we did not provide whatever information was necessary. They have not requested to see me and I have not asked to see them.

#### RENTAL ACCOMMODATION

**Mr. Timbrell:** Mr. Speaker, in the absence of the Minister of Housing (Mr. Curling), which may be understandable given last week's offerings by him here, and in the absence of the Premier, I have a question for the government House leader.

The government House leader will recall that in exchanges in this chamber last week we received a series of rather confusing signals from his colleague the Minister of Housing as to what the government's policy is with respect to the construction in 1986 of much-needed new rental accommodation. As well, he will know that on leaving the House on Friday the Premier indicated the Minister of Housing was not speaking for the government and what he had said in this chamber was not government policy.

Especially in the light of his role as Treasurer, can the government House leader indicate to us in the clearest possible terms what the policy of the government is with respect to the construction of rental housing? In particular, can he assure this House that he will be putting in place incentives to entice much-needed private sector capital back to the rental housing field?

**Hon. Mr. Nixon:** I believe the honourable member is aware that the Premier announced the limit for rent review would be reduced to four per cent. That was supported by the then Premier, now the Leader of the Opposition (Mr. F. S. Miller), and by the New Democratic Party. The bill will be brought forward in the near future and naturally it will go into effect as of the date the Premier made the announcement.

I do not think there is any question as far as our commitment to rent review is concerned. The rent review commitment was part of our election platform. We have taken a rather strong stand that goes back to our pre-1975 stand. That was even before the great Progressive Conservative Party of Ontario realized back in those days that it had better get on the bandwagon and save its skin.

As a matter of fact, the mother of rent review was Margaret Campbell herself, a very dear colleague of mine when we used to sit together on the opposition benches. She was one of the most effective spokespersons, if not the most effective

spokesperson, for the residents of Metropolitan Toronto and the citizens of all Ontario.

Our policy remains unchanged. To respond specifically to the member, I think it would be appropriate if the budget did contain some reference having to do with dollars and housing programs. I am not in a position right now to say whether it does because of the sensitivity of the member's colleagues to budget leaks. I noticed him going through the green garbage bags outside the building this morning, so I am not making any indication of the budget's contents this close to the budget.

**Mr. Timbrell:** I hope the minister will provide an autographed copy of his contribution to Hansard today to the Minister of Housing so he will perhaps be a little clearer as to what is the policy of his ministry and his government, because he was not at all clear last week.

The Minister of Housing addressed a ministry-sponsored seminar—I am sorry; it was not ministry-sponsored; it was sponsored by the Peel Nonprofit Housing Corp.—on October 3, along with all the senior staff of the Ministry of Housing, and was told on that day by all the leading builders in the area—Shipp, Arcadia, Bramalea and Pagebrook—that they will not build any more rental accommodation because of the policies of the government with respect to rent review.

Will the minister tell us how his government is going to either change those policies or ensure, without large government grants and/or subsidies, that the private sector will build housing in 1986 for the rental market and provide much-needed employment in that sector? How is it going to do it? Tell us who is going to build in 1986.

**2:30 p.m.**

**Hon. Mr. Nixon:** I suppose the companies listed by the member may have had their confidence in governments in general shaken somewhat when they were persuaded to vote Progressive Conservative before the 1981 election on the hidden promise that rent controls would be abandoned if the Tories won a majority. In 1981, no doubt with the heavy financing of all these people, the Progressive Conservatives did win a majority, and the only difference was that the Premier of the day reduced the review level to four per cent.

I suppose they are disillusioned with the Tories and are looking to the Liberals for the sort of leadership that will provide the concepts and the money for a housing program that I am confident will meet the proper needs of this urban

community and of all Ontario in the next five years.

**Mr. McClellan:** There were a number of questions rolled into one there, but I want to ask a supplementary about the intriguing phrase used by my colleague the member for Don Mills (Mr. Timbrell) in his first question when he asked the Treasurer whether there would be incentives to entice private developers back into the housing market. I do not think I am misquoting.

I want to ask the Treasurer whether he understands, as I do, that the member for Don Mills is probably talking about ripoff schemes such as the Ontario rental construction loan program, which was a \$90-million giveaway program by the previous government that provided interest-free mortgage money to private developers with no strings attached to provide a number of very interesting luxury apartments.

I want an assurance from the Treasurer that he will not accept that kind of foolish advice and that there will be no measures in the budget coming Thursday which will provide cash giveaways to the private developers, but rather that he will institute a program of housing supply in the nonprofit sector.

**Hon. Mr. Nixon:** I think I can assure the member for Bellwoods and the House in general that I do not intend to recommend any spending programs I do not feel will be fiscally responsible and in the best interests of the community at large.

**Mr. Timbrell:** Is there already a St. Robert, or is the Treasurer vying for the position?

As the Treasurer very well knows, with limits of \$2,000 per year and \$4,000 in any given election year, there is no way any single corporation or individual heavily finances any of the parties, his own included. So that earlier allusion was completely misplaced.

Let me say too, I was not offering the kind of advice offered by the member for Bellwoods. I would not do that. I want an absolute assurance that the Treasurer, in this budget and in the coming months, is going to pursue policies that will entice the private sector to build, finance, own and operate rental housing, as opposed to more government financing where the government will put itself out to be the sole source of capital for rental housing in Ontario, because that is the direction its policies are taking this province and they are going to create a major economic crisis.

**Hon. Mr. Nixon:** With regard to housing, I ask the member to recall the contents of the most recent speech from the throne brought forward by

the Miller government, of which he was a part, and I give him a further assurance that the programs put forward by this government in the budget are going to be aggressive but sensitive, effective and fiscally responsible in a way that probably he and his colleagues have forgotten about in their latter years of administration.

**Mr. Rae:** We are all a lot wiser after that exchange. I really appreciate that.

#### EXTENDICARE LONDON NURSING HOME

**Mr. Rae:** I would like to return to a line of questioning I began last Thursday with the Minister of Health. The minister will know that as a result of the outbreak, we now have a 19th victim who died over the weekend.

I remind the minister that this is the most serious epidemic of its kind in North American institutional history, certainly in the 20th century, and that the mortality rate of those affected by it is 37 per cent, which is amazingly high.

He will also know that the doctor who was the expert in food handling, who was sent in on September 20, 1985, to look at what was going on in the home in the middle of the outbreak, said, "It is inconceivable that the above conditions"—that is, the conditions he found on September 19 and 20—"existed so long after the occurrence of a probable food-borne disease outbreak of such magnitude."

Those are the words of Dr. Styliadis; they are not my words or anyone else's.

In view of the seriousness of this outbreak and in view of the seriousness of the findings of Dr. Styliadis and, indeed, of Dr. Korn and others, I ask the minister again, why the reluctance to establish a public inquiry now rather than wait for the coroner's inquest in January? I am sure the minister appreciates the public concern. Why the delay?

**Hon. Mr. Elston:** I again thank the honourable member for his question, and again I must confirm that we have a well-established inquiry system which is now being undertaken by the coroner. An investigative team under the jurisdiction of the coroner is going through the task of putting together all the information we need.

In reflecting on all the comments made by the member's colleagues and by others, I have to say that to launch into a second investigation now to prepare for an inquiry and perhaps even to go further in trying to come up with the same information among a number of institutional branches would cause more delay than we wish to have take place.



As the member knows, the coroner has called the inquest, and the information is being gathered. In addition, I have established an independent review to look into the operation of the nursing homes branch inside my ministry, and I have taken the necessary steps to safeguard the health of the people who are now residents of nursing homes.

**Mr. Rae:** Is the minister saying that despite the three-day delay by the nursing home in informing the medical officer of health in London at a time when there were 27 cases occurring in the home, despite other possible infractions of the Nursing Homes Act itself with respect to the law regarding refrigeration and despite the findings of Dr. Styliadis with respect to the handling of food as late as September 20, some 12 days after the first case was reported, it is the position of the minister today that he will not lay any charges and that he will not prompt any other inquiry than simply waiting for the results of the coroner's inquest? Is what we are now to understand that there are to be no charges laid?

**Hon. Mr. Elston:** The member is confused about the answer. I said I did not think it would serve the public well to confuse the investigative process by introducing a third or more investigation at this time. I have moved to do some particular things which I think will safeguard the health of the people who are currently residents of the institutions in Ontario, which is what I am mandated to do first and foremost.

The laying of charges, as the member was advised last week by the Attorney General (Mr. Scott), will take place when the gathering of information is complete. He has to be concerned, as we all are, that people are not disadvantaged by the operation of the judicial system too quickly.

**Mr. Turner:** Has the Minister of Health or his ministry made any changes to the reporting procedure as a result of this tragedy? If so, will the minister be good enough to share them with the House?

**Hon. Mr. Elston:** I thank the honourable member for his question. On a couple of occasions, I have made changes with respect to the reporting required. For instance, we have indicated to those public facilities that they ought to report to the medical officer of health straight away, at the first possible opportunity, when there are two or three cases—for instance, of a diarrhoea-type infection, which we have come across at the Extendicare agency—and the medical officer of health is to treat each report of that

nature as an emergency even though it may turn out that is not the case. We have decided the reporting mechanism must be updated and upgraded. In addition, we have taken steps to help co-ordinate inspection services between the public health unit and the nursing homes branch inspectors as well.

2:40 p.m.

**Mr. D. S. Cooke:** Does the minister not realize this is an absolutely unprecedented case? There are 19 people dead. It is the worst epidemic of this type of bacteria in North America. At the same time, the two major investigations he has going on are going to be a coroner's inquest, which is rather routine when it comes to deaths in institutions, and an external review of the inspection process without public participation.

Does the minister not understand that is simply not good enough to come to grips with what is a very serious problem in his ministry? Will he not reconsider his decision to reject a public inquiry so that all of us can be assured that the elderly of this province in our nursing homes are going to be properly protected?

**Hon. Mr. Elston:** I have on a couple of occasions answered questions from the honourable member about the welfare and wellbeing of the senior citizens of the province. The reason I moved so quickly to provide the public with the information in the reports by Dr. Korn and Dr. Styliadis and others was to underline and underscore the necessity for those institutions to be adequately sure that their food-handling capabilities were above reproach.

In addition, as I advised the people in the city of London after making it available to the families of the patients who died at the Extendicare Nursing Home, I released the information that I was going to be providing to all of the institutions in Ontario, not just nursing homes, where there are food-handling services and capabilities. I circulated that straight away.

In addition, I have made the announcement, as I had earlier told my colleague the member for Peterborough (Mr. Turner), regarding the co-ordination of inspection capabilities between my branch of public health and the nursing homes branch. Also, I have a reporting upgrading mechanism in place and I think those types of operations have increased the surveillance going on in those institutions.

With respect to the question of whether or not I have refused to call a public inquiry, or reconsider my decision not to, I have not at this time decided not to call a public inquiry. I said I would like to see the results of the coroner's

inquest and I do not want to impede the investigation, which could prejudice that operation. A number of things are now in place that will safeguard the wellbeing of the citizens of this province.

#### SALE OF APARTMENTS

**Mr. McClellan:** I have a question for the Minister of Consumer and Commercial Relations with respect to the proposed sale of the 11,000 Cadillac Fairview apartments by the receiver, the Clarkson Co. Ltd. The minister will be aware that one of the unresolved questions out of the 1982 flip is who will pick up the tab for the \$500 million in the flip.

Is it the minister's understanding that his ministry officials are anxious to recoup some of the costs? I am quoting from the *Globe and Mail*, July 25: "We hope they go for a fairly high price so that we could recoup the costs for the taxpayers," according to Albert Campion, spokesman for the ministry." Is it the intention of the receiver and of the ministry that the sale price to tenants of the Cadillac Fairview apartments will be something in the neighbourhood of the original illegal amount of \$500 million in order to cover the first, second and third mortgages? In other words, the tenants are being asked to pay the illegal amount for the privilege of continuing to live in their own homes.

**Hon. Mr. Kwinter:** I thank the honourable member for the question. He should understand that the apartments in question are really in the hands of the courts. The receivers are acting for the courts and it is their determination and their decision. As far as my ministry is concerned, we are watching with great interest but we do not have a direct input into what is going to happen with those buildings.

That is something the Canada Deposit Insurance Corp., which is going to have the greatest investment in this issue, will be determining, along with the receivers and with the approval of the courts, as to what happened. It is in their hands and is not in the hands of my ministry.

**Mr. McClellan:** With respect, the minister has failed to answer the question. I want it to be clear on the public record if I am correct—and I am not sure I am correct—it is his understanding that the receiver is attempting to sell these apartments through a process of conversion to condominiums for something approaching \$500 million.

Is it a policy that is apparently supported by officials in his ministry that this price tag will be put on the backs of the tenants of Cadillac

Fairview who now live in those apartments, and that they will be asked to pay the difference between the first and third mortgages for the privilege of staying in their own homes?

**Hon. Mr. Kwinter:** The point I was making is that we have an interest in watching what happens but we have no direct input as to the final resolution. I should point out that all tenants are protected, regardless of what buildings they are in, to a maximum of five per cent for any additional cost incurred in the change of ownership of an apartment. They will certainly be protected from that point of view.

**Mr. Runciman:** The minister has indicated that his ministry is going to stay on the sidelines on this issue. I am wondering if that is the appropriate course of action to follow.

We are talking about condominiumizing a number of these units. Has the minister given sufficient consideration as to whether, indeed, this is in the best long-term interest of tenants in the city of Toronto? Should he not be playing a more active role and searching out ways and means in which the ministry could be playing a more active role in this issue?

**Hon. Mr. Kwinter:** The speculation as to what happens to those buildings is just that—speculation. When it comes to determination of the status of the buildings, whether they be co-ops, condominiums or individual buildings, I would suggest that will be left to the appropriate ministry, in this case the Ministry of Housing. Also, it will be up to the municipalities themselves.

I addressed some of the tenants' associations who are very concerned. A municipality has a direct input as to whether or not a building will become a condominium. The political climate is such that it will be very difficult for that to happen, certainly in Toronto.

**Mr. McClellan:** The minister is aware the possibility exists that something in the order of 10 per cent of our rental housing stock in Toronto will be converted out of the rental housing market.

Has he been briefed on proposals that were made to his officials prior to the change in government with respect to a proposal from the tenants of Cadillac Fairview that the buildings be sold to the tenants as nonprofit co-operatives on the basis of appraised value; not on the ripoff value from the 1982 triple flip, but on only the appraised value? Has he been brought up to date on that proposal? Can he tell us whether that has any current status with his officials or with himself?



**Hon. Mr. Kwinter:** I have been fully briefed on the total background of the whole Cadillac Fairview incident.

Again, I can assure the member the reason it went into the courts was so that there would not be any political interference as to the outcome, one way or the other. When the court makes a determination, and it will be up to the court alone to decide whether or not any offer or any proposal is acceptable, then if there is something we must do as a government we will do it, but at the present time we are watching the situation. It would be inappropriate for me to interfere at this point.

2:50 p.m.

### DISASTER RELIEF

**Mr. Rowe:** I have a question of the Treasurer. The central Ontario disaster relief fund was, as he knows, established to raise funds, both privately and publicly, to assist those affected by the May 31 tornado which devastated our area of Ontario. The Premier (Mr. Peterson) stated that his government intended to continue to honour all those commitments of the previous government with respect to the tornado fund. One of the commitments was the assurance to the public that government money would match private donations on a three-to-one ratio. When does the government intend to honour that commitment?

**Hon. Mr. Nixon:** I can assure the member that the government intends to honour all commitments. I would also like to recall to his mind something a number of members will recall. The last time we had this sort of windstorm disaster it was in the county of Oxford and Brant. A tornado started just outside Woodstock and came through into the Brant area and down into Norfolk. The member for the area and myself and others were involved, as is now the member for Simcoe Centre (Mr. Rowe), in assisting the local fund-raising to the best extent we possibly could.

It happened to be cabinet day and I called the then chairman of cabinet Lorne Henderson at 7 a.m. and told him about it. He said he would raise it at cabinet that day. We were very glad that within a few days the then Premier and the appropriate cabinet ministers came up to the area and made the commitment on a three-to-one basis, at least the same basis.

**Mr. Harris:** It was "up to three to one."

**Hon. Mr. Nixon:** That is the difference. I see.

**Mr. Timbrell:** If I may help the Treasurer, the commitment at the time was "up to," and in this case it was exactly three to one.

**Mr. Speaker:** Order.

**Hon. Mr. Nixon:** I am very glad to have had the assistance of the member who told me the previous commitment was "up to," but he is implying that the commitment under these circumstances was not "up to," it was three to one.

I want to explain my understanding of the circumstance. I thank God I am not in the area that was affected by this terrible storm but I was in the middle of the other one where many citizens, not only in the area but across the country, made large, generous donations. A local committee was established representing the community and guidelines were established that did not pay all the expenses. Recreational vehicles were not covered; I remember there was a question about that. Cottages, if they were second homes, were not covered, and so on.

**Mr. Timbrell:** Will the Treasurer answer the question?

**Hon. Mr. Nixon:** I am answering the question. We have 25 minutes and 11 seconds, 10 seconds, nine seconds—

**Mr. Speaker:** Order.

**Hon. Mr. Nixon:** At the time, the government of the day very properly indicated it would more than match the funds raised to pay the approved expenditures. The same holds true under these circumstances. If we are going to change the approval of the expenditures, I would suggest we would have to go back to other disasters—one in Sudbury, one in the Nipissing area, and one in the Brant-Oxford area—and change the whole payout on that basis.

The essential damages were covered. I can assure the member that in response to the local committee which is approving the payout, there will be ample funds to make the payout on the basis of the approvals, which are similar to those in the other areas where the damage took place.

**Mr. F. S. Miller:** I was Premier of the day when this commitment was made. This disaster, like all disasters, could not be directly compared to any other one. I made a commitment of three to one, not up to three to one.

**Mr. Breaugh:** On a point of order, Mr. Speaker: We have had two questions now and I am confused. I thought the members on this side asked the questions yet those members to my right have the answers. Could you explain to me, how does that happen?

**Mr. Rowe:** Service clubs, church groups, pensioners and small children, among others, all gave very generously with the understanding that

their \$1 meant a \$4 contribution to those affected by the tornado.

Will the Treasurer give assurance to this House today that any money which might be left over from the three-to-one funding formula will be put aside in a fund and used for future disasters which may strike anywhere in Ontario?

**Hon. Mr. Nixon:** I can assure the member that future disasters that may occur in this province, God forbid, will be dealt with in the same appropriate and generous way.

#### ST. CLAIR RIVER

**Mrs. Grier:** My question is to the Minister of the Environment regarding the very urgent public health concerns generated by the finding of dioxin in samples of sediment taken from the St. Clair River.

The ministry first became aware of the presence of dioxin in samples that were taken in the summer of 1984. Extensive testing was done under the present minister in September 1985. No results have been released from either of those samples.

Why did it take so long? I recognize that the minister was only part of the delay. Why has it taken so long to get back to do the second sampling? Will the minister undertake to release to this House the results of the samplings done on both occasions?

**Hon. Mr. Bradley:** Our policy is to release them at the earliest opportunity as soon as we get the results of any of these samples. I was consulted, for instance, by a federal member of Parliament in the area who had made inquiries about problems that had arisen. His specific concerns were more in the Windsor area.

As the member would know, monitoring and testing are going on along the St. Clair River on a continuous basis. We did some additional testing and found some examples of forms of dioxin in the raw water. We also wanted to test the treated water in the area to ensure that it had not got into the treated water. Even though we are very concerned about the fact that it would be in small traces per quadrillion in the raw water, we are even more concerned about the drinking water. The member will know that in a normal water filtration plant, because dioxin tends to adhere to particles, it fortunately gets removed, and in this case it did get removed.

I will be happy to provide for the member or for anyone else in the House the most up-to-date results that we have from the tests. I will provide them to her and to all members of the House as soon as possible.

**Mr. D. S. Cooke:** Has the ministry yet determined the source of this black blob at the bottom of the St. Clair River outside Dow Chemical's property, and whether that blob is growing? We have been trying to get the results of those tests, but apparently, even though it has been a couple of weeks, the results are not available yet.

Finally, in view of the evidence of problems in the St. Clair River that has come out during the last number of weeks, and in view of the resulting problems in Lake St. Clair and the Detroit River, does the minister think it is time that there be a system of independent sampling of discharges from the chemical companies instead of relying on the self-monitoring that has been in place?

**Hon. Mr. Bradley:** The member makes a reasonable suggestion. I think the concern has been raised for some time. Those of us who sit in this House have been concerned about some of the findings, such as the glob at the bottom of the river. We are investigating the source of that at the present time.

In some cases, as the member will know, we press charges when we feel that we as a ministry have identified the source. In other cases, we are attempting on an ongoing basis to determine what the source is.

I share the concern. I think the members who reside in the area from Sarnia down to Windsor and all along that area have a justifiable concern about the glob, because it was not simply dioxin. As I think the member would appropriately point out, there are other rather nasty chemicals and substances down there as well.

To answer the question, as soon as we get the results of any new testing that goes on, I will be happy to provide them to the House. With regard to independent testing, that is something I am evaluating at present. I think people are looking for confirmation of self-monitoring to be really safe in their own minds.

That is what we are undertaking in this area. It is an area of very high priority and concern to me as the Minister of the Environment, as I am sure it is to those who reside in that area.

**3 p.m.**

**Mr. Brandt:** Can the minister comment on the present status of the St. Clair River study team, which was put in place with the specific intent of identifying the kinds of problems that have recently been identified through some of the studies of which the minister is aware?

Is it his intention to continue to leave that monitoring and study team in place in order that any developments, such as the discovery of



dioxin or other problem chemicals, will be identified at as early a stage as possible?

**Hon. Mr. Bradley:** That group is one of the tools we want to use.

**Mr. D. S. Cooke:** Mr. Speaker, on a point of order: Earlier on the Conservatives wanted to correct the record. This might have been an opportunity for the former Minister of the Environment to explain why this information was not released in September 1984, when he was the minister.

**Mr. Brandt:** If opposition members can start to ask me questions, I will move across the floor and answer those questions. I will be more than happy to do that.

**Hon. Mr. Bradley:** I am sorry. I did not know whether the member was rising on a point of privilege or point of order.

That is one of the groups that is looking into it. The former minister will also be aware that there are other study groups, from various universities on both sides of the border, looking at the problems along the St. Clair River and Lake St. Clair. The group he mentions is one we are relying on as well. I know he will share my concern that last year there was a discovery of some rather nasty substances which have come to light this year. We want to deal with that as expeditiously as possible.

I am pleased to report as well, and I was a little bit relieved by this, that the dioxin found—and let me make no mistake that any dioxin found, in any minute quantity, is dangerous—was not the 2,3,7,8-TCDD type we are most concerned about in the raw water supply, although we are concerned about the blob that is down there. This problem has existed for some time, and I am determined that we should take as much action as quickly as possible to overcome the problems that exist in that area.

#### AGRICULTURAL FUNDING

**Mr. Villeneuve:** This question is addressed to the Treasurer, who made a statement when he was in eastern Ontario not long ago saying the Liberals did not need New Democratic Party aid to beat the Tories. He said that about 13 months ago.

In his deliberations and preparations for the upcoming budget, he made a statement that same evening that a funding level standing at \$330 million annually for agriculture was nowhere near sufficient. He also made a statement that he would double that should the Liberals be the government. What can we expect from him?

**Hon. Mr. Nixon:** It still sounds like a very good idea to me. While I am not the Minister of Agriculture and Food, I can assure the member I listen with a good deal of sympathy to the requests that come to me from all the ministers as they see the inadequate programs they inherited from their predecessors.

**Mr. Stevenson:** The Treasurer will be interested to know that the Alberta government has recently put in place a \$128-million program to help the livestock producers out there before they sign the tripartite stabilization program. What sort of funding can we expect for the livestock producers in Ontario prior to their signing that same document?

**Hon. Mr. Nixon:** My colleague the Minister of Agriculture and Food (Mr. Riddell) stated last week he hoped to have an announcement soon to deal with the tripartite program. We have many resources here, but we do not have a bank account of \$14 billion to draw upon as they do in Alberta. We do have a very rich and resilient province, which is quite anxious to support initiatives put forward by the minister or by the Treasurer in support of the agricultural community, which is obviously facing some of the greatest economic pressures and tensions it has experienced in the last many years.

#### EDUCATION FUNDING

**Mr. Allen:** I would like to address a question to the Minister of Education on education funding. He will know that in June of last year, in a letter to the Ontario Teachers' Federation, the Premier (Mr. Peterson) called inadequate provincial funding the basic problem in education and pledged that "a Liberal government would restore this level of funding to a minimum of 60 per cent on the average across the province during our first term of office."

During the election, the same promise was made in the magazine *Education Matters*, of the Association of Large School Boards in Ontario, in which he repeated precisely the same policy. The minister will also know that during the recent hearings on the extension of separate school funding—

**Mr. Speaker:** Does the minister agree?

**Mr. Allen:** —this issue has been the repeated theme of many public school briefs. Will the minister stand in his place today and tell us whether this policy is the actual policy of his ministry? Will he be making some important announcements in that respect in the near future?

**Hon. Mr. Conway:** It is certainly the view of this minister that as a government we must be

committed to a strong and adequate level of financial support from the province to public education. The budget of the Treasurer (Mr. Nixon) will be introduced in this assembly on Thursday evening, at which time the first intentions of this government in this connection will be made clear.

**Mr. Allen:** Thursday will indeed be the proof of the pudding. I hope the news is good. May I address a more specific question on the same issue—

**Mr. Speaker:** I hope so.

**Mr. Allen:**—with respect to the announcement the minister made in early September of special grants to the public school boards to compensate them for additional funds required to meet the ongoing higher costs of those boards with students transferring to the separate schools. He will remember that the figure was \$720 per student. There is another declining-enrolment grant—

**Mr. Speaker:** Question, please.

**Mr. Allen:**—that amounts to substantially more than that on a per-student basis, depending on the board in question. There are boards that are poised to lose anywhere—

**Mr. Speaker:** Does the honourable member have a supplementary question?

**Mr. Allen:**—from \$100,000 to \$200,000 on that. In allocating that kind of reduced grant in this case, is the minister telling us that this ministry is going to follow the last ministry in subtle and indirect forms of underfunding public education, or is he going to—

**Mr. Speaker:** Order. The minister.

**Hon. Mr. Conway:** There is a difference between the declining-enrolment grant and the special buffer grant on the separate school extension because the two situations are different. The declining-enrolment grant recognizes that school boards are left with both instructional and noninstructional costs over a period of time. The declining-enrolment grant recognizes that larger cost.

The special buffer grant recognizes that instructional costs are going to follow the students across, as the honourable member knows, under carefully worked-out arrangements in the separate school extension plans. Boards of education will be left with noninstructional costs that the Ministry of Education is prepared to recognize to the rate of 22 per cent of the grant ceiling. The grants are different because the situations are different. I think the member understands that.

## TOBACCO INDUSTRY

**Mr. Andrewes:** I have a somewhat more specific question I would like to direct to the Minister of Agriculture and Food, the self-proclaimed King of the Castle. The recent musings of the Treasurer (Mr. Nixon) and the Premier (Mr. Peterson) with respect to increases in the so-called sin taxes no doubt will have some impact on a deteriorating situation in the Ontario tobacco industry. Given the rather serious state of decline in this industry that faces many growers, as the minister is well aware, what strategy and what special initiatives is he prepared to put in place to assist in the rationalization of the tobacco industry?

**Hon. Mr. Riddell:** I have had many talks with the Treasurer as he gets ready for his budget to make sure we are not going to put an undue burden on the tobacco growers of this province. I do not know what is in the budget, but when it comes out I think the member will be pleasantly surprised, as will the tobacco growers, in connection with the announcement that will be made.

3:10 p.m.

The tobacco growers have met with me on a number of occasions, as have the leaf manufacturers. Their major concern is the tax imposed by the previous government on their particular commodity. It is safe to say that we are showing quite a bit more concern for the agricultural producers of this province than did the former government and that will come out in the budget.

They also have asked that I give some consideration to agency powers on the provincial level. If I do, it will mean there will be a vote taken among the tobacco growers as to whether they want agency powers on a provincial level. It is an option I am considering at present.

**Mr. Andrewes:** In spite of the minister's crowing and the comforting words of the Treasurer, I am sure the industry will not find a lot of comfort in that answer. Indeed, neither will the Blue Jays in the minister's apparent disloyalty the other evening. The Treasurer is apparently very receptive to new programs for agriculture and, no doubt, this kind of program would have some local flavour in the Treasurer's riding.

In the light of rumours that Rothmans, the largest purchaser of tobacco in Ontario, may not buy anything out of the 1985 crop, and in the light of the concerns expressed to me by members of our caucus and, no doubt, to the minister by those same members, may I ask the minister, in all seriousness, what specific pro-



posal did he make to the Ontario Flue-Cured Tobacco Growers' Marketing Board last Thursday when he met with them?

What specific proposals did he make to take care of the apparent surplus of 60 million pounds of the 1985 crop and the anticipated carryover of 200 million pounds from the previous years?

**Hon. Mr. Riddell:** The member has not been talking to the tobacco growers because I just told him that, first and foremost, they would like a national marketing agency. Because of the injunction that was put on the report by the tobacco manufacturers, the member can be assured that there will not be a national agency in place this year to deal with this year's crop.

The tobacco growers asked if I would give them agency powers on a provincial level. I have indicated to the member that it is an option I am considering, provided they meet with certain requests I have made of them. After my meeting with the tobacco growers, they went away extremely happy for two reasons, one of which was that the federal Minister of Agriculture has decided to step up cash advance payments to \$90 million.

When they met with me and found that I was seriously considering meeting their requests for agency powers—we have not made a final decision on this yet, but it is a request I am seriously considering—those were the only two concerns they had at the time and they went away from our meeting quite relieved.

#### AUTOPSY PROCEDURES

**Mr. Reville:** My question is of the Solicitor General. Is he aware of and does he support the requirement under the Coroners Act that all autopsies be undertaken by qualified medical practitioners?

**Hon. Mr. Keyes:** That is my understanding. That is correct and we do accept that.

**Mr. Reville:** Simple question, simple answer.

Since taking office, has the Solicitor General been apprised of an Ontario Provincial Police investigation into alleged improprieties during 1985 in autopsy procedures at the chief coroner's facilities on Grosvenor Street in Toronto? If he has been so apprised, will he make a statement to this House about the results of the investigation? If he has not, will he make it his business to become aware of the situation and report to the House on an early occasion?

**Hon. Mr. Keyes:** I have not been so advised, but I will gladly check it out this afternoon and report back to the House.

#### GOVERNMENT SPENDING

**Mr. Sheppard:** I have a question for the Minister of Industry, Trade and Technology regarding the Liberals' ever-increasing practice of government by public relations. Does the minister have an explanation for the spending of an estimated \$2,500 a week in ministry funds to pay for courier delivery of press releases regarding his ministry to news outlets in the vicinity of his home riding? Does he not agree that this is a shameless misuse of taxpayers' funds, especially since the mail costs only 34 cents a letter? Is this not really just a use of tax dollars for political self-promotion?

**Hon. Mr. O'Neil:** Knowing the member might possibly raise that question and feeling he would look into things a little more carefully before he raised such a question, I take it he is referring to an editorial that appeared in the Brighton paper.

Not only is the paper misinformed, but the member is also very misinformed. I have also obtained legal advice, and the figures quoted and the editorial are almost libellous or would be libellous. I will be answering that. A letter will be delivered to them either today or tomorrow setting straight the facts that were put in that editorial.

**Mr. Sheppard:** The minister has not really answered my question.

**Mr. Speaker:** Order.

**Mr. Sheppard:** If it is not \$2,500, what really is the figure?

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. O'Neil:** I believe some of the figures quoted in the editorial were that I was delivering these releases by courier all over the province, releases which dealt not only with myself but also with the ministry. It quoted a price of \$9 per delivery, when actually it was \$1.95 for 15 deliveries.

#### PETITIONS

##### NOISE BARRIERS

**Mr. D. R. Cooke:** I have a petition concerning noise barriers on the Conestoga Expressway. It is signed by 102 constituents who believe they have suffered from excessive noise and dirt as a result of the building of the expressway. They are asking that noise barriers be built from Frederick Street to Ottawa Street at the very latest by the spring of 1986.

### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Haggerty:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the sincere expectation of more than 500,000 students and staff of the separate school system of Ontario and nearly four million separate school supporters in the province of Ontario; and

"Whereas it was clearly the intent of our forefathers to treat both sectors of our common school system equally; and

"Whereas this intent is evident in successive acts of the Legislature since 1841; and

"Whereas the rights of separate school supporters are now protected under the Constitution of Canada; and

**3:20 p.m.**

"Whereas deviation from past practice has occurred within the last 20 years, whereby trustees of the nondenominational sector of the common school system have been given the right to administer secondary education; and

"Whereas similar rights have not been granted to the trustees of the separate school sector; and

"Whereas the then Premier, the Honourable William Davis, on June 12, 1984, informed the Legislature that it was the intent of his government to empower Roman Catholic separate school boards to operate secondary schools for secondary students, commencing September 1, 1985; and

"Whereas this intent was unanimously supported by all parties in the House;

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that the legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

This is signed by Grand Knight Gerry Groetelaars, Our Lady of Fatima council 3732, and 666 petitioners.

**Mr. Guindon:** I have a petition with regard to Bill 30. It bears the signatures of many of my constituents in Cornwall, and it is addressed as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the sincere expectation of more than 500,000 students and staff of the separate school system of Ontario and nearly four million separate school supporters in the province of Ontario; and

"Whereas it was clearly the intent of our forefathers to treat both sectors of our common school system equally; and

"Whereas this intent is evident in successive acts of the Legislature since 1841; and

"Whereas the rights of separate school supporters are now protected under the Constitution of Canada; and

"Whereas deviation from past practice has occurred within the last 20 years, whereby trustees of the nondenominational sector of the common school system have been given the right to administer secondary education; and

"Whereas similar rights have not been granted to the trustees of the separate school sector; and

"Whereas the then Premier, the Honourable William Davis, on June 12, 1984, informed the Legislature that it was the intent of his government to empower Roman Catholic separate school boards to operate secondary schools for secondary students, commencing September 1, 1985; and

"Whereas this intent was unanimously supported by all parties in the House;

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

It is signed by Raymond Forget, Sts-Martyrs Canadiens, Knights of Columbus council 8859, 800 12th Street East, Cornwall.

**Hon. Mr. Eakins:** I have a similarly worded petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It contains 19 pages of names, and it is presented by Grand Knight F. L. Prior of council 1124, Lindsay, Ontario. I present this to the assembly.

### MOTIONS

#### COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on resources development be authorized to meet on Tuesday, October 22, and



Wednesday, October 23, 1985, to finalize its recommendations concerning the 1984 annual report of the Workers' Compensation Board.

Motion agreed to.

### HOUSE SITTINGS

Hon. Mr. Nixon moved that, unless otherwise ordered, the House not meet in the chamber on Wednesdays.

Motion agreed to.

### INTRODUCTION OF BILLS

#### CITY OF TORONTO ACT

Mr. Shymko moved, seconded by Mr. Leluk, first reading of Bill Pr9, An Act respecting the City of Toronto.

Motion agreed to.

#### SAULT STE. MARIE PIED PIPER NURSERY ACT

Mr. Morin-Strom moved, seconded by Mr. Wildman, first reading of Bill Pr8, An Act to revive Sault Ste. Marie Pied Piper Nursery.

Motion agreed to.

### POLLS

**Hon. Mr. Nixon:** Mr. Speaker, before the orders of the day, I want to table another poll. This one is by Environics Research Group Ltd.

**Ms. Gigantes:** What did it say?

**Hon. Mr. Nixon:** I have not read it.

#### MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. D. S. Cooke moved, seconded by Mr. McClellan, that pursuant to standing order 34(a), the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the 19 deaths at Extendicare London Nursing Home and the mounting evidence that outbreaks of disease were not reported in line with the Health Protection and Promotion Act and that, as a result, some deaths may have been preventable; further, that evidence shows that on September 20, 1985, the kitchen was in an unacceptable condition, which left residents and staff of the home at further risk, and to date the response of the Ministry of Health has been inadequate.

**Mr. Speaker:** I would like to inform the members that I received this motion in time. However, in reviewing this motion, I would like to suggest for the benefit of all members' future consideration that an ideal motion would have been just to use the first sentence; the last part

seems to be one of the reasons for wanting the motion. However, notice of the motion was received in time and complied with the standing orders, and I will listen to the honourable member or members for up to five minutes.

**Mr. D. S. Cooke:** The incident referred to in this motion is surely one of the most upsetting incidents in any nursing home in this province for all members of the Legislature. Nineteen people have died—the latest one this weekend—in an incident that may have been preventable and that surely will be prevented in the future by actions we hope will be taken by this ministry in reforming the inspection process.

**3:30 p.m.**

The outbreak of this bacterial infection was the largest outbreak ever recorded in North America. We still do not know at this point how the infection started for sure. We still do not know why the epidemic was not reported to the medical officer of health more quickly. We still have not had an explanation of why the food was not properly refrigerated and why no charges have come out of this. We still do not know why the MOH approved the new kitchen, yet, 10 days later, ministry consultants found it had serious deficiencies, deficiencies that have been listed in the Legislature, and we certainly can discuss them at greater length during the debate.

We do know that the ministry feels there are serious problems within the inspection branch. I think the minister will acknowledge that there are serious problems and that this is why there is going to be an external review of the inspection branch of the Ministry of Health. However, that external review will not allow for public participation; it will not be a public hearing process, and there are many people in this province who would like to participate in this review of the inspection procedures of the ministry.

We do know that the Ministry of Health and the MOH are now sharing information on inspections. That is a good step, but we do not know why it did not happen before. It seems like a rather elementary step that the Ministry of Health and the MOH should have been sharing their reports. That kind of communication did not exist.

We know that this home did not know how to handle food and, as a result, this infection took place. We do not know why, on December 10, when 16 more residents became ill and the MOH environmental inspectors were in that home, no one from the nursing home reported there had been an epidemic. That was the second day, and a total of 26 cases had accumulated by that time.

What we have here is a total breakdown of the inspection process, an absolute tragedy that I hope will never occur again in this province. What we are debating now is what happened and how it can be prevented from ever occurring again. We are debating the method by which we can get the facts out to the public and the method by which relatives of the victims can be assured that, while a tragedy occurred, steps will be taken so that other elderly people in our province will not experience such a horrible death as these people experienced.

I am not convinced the external review of the inspection procedures in this province is adequate; I am not convinced a coroner's inquest is adequate, and I think the minister himself is reviewing the possible potential of a public inquiry instead of a coroner's inquest.

**Hon. Mr. Elston:** I cannot. The coroner calls the inquest.

**Mr. Speaker:** Order.

**Mr. D. S. Cooke:** What we need is some process whereby the public all across this province can become aware of the facts and we can discover the facts to make sure this type of thing does not occur again. The way it is happening now, a coroner's inquest may not be held until January or February, and many questions are still in people's minds.

I do not think an internal review of the ministry is adequate; I do not think the response of the ministry has been adequate. I give the minister full marks for his intentions. I hope that through debating this issue, which is on the top of our list and, I think, on the top of that of many members of this Legislature as a public issue right now, by raising some of these questions this afternoon the minister will be convinced that a public inquiry is absolutely essential to prevent this from ever happening again.

**Mr. Turner:** I rise to indicate the support of our party in this debate, and I would like to make a few brief remarks on the very tragic situation that took place in London.

On October 3, I issued a press release that raised questions about the seriousness of the matter and asked why what appeared to be some very basic health rules seemed to have been ignored. It would appear from later reports that basic hygiene procedures had not been followed and might have contributed to the very serious outbreak.

The other part of my concern is for the families of the people who died in that nursing home or as a result of infection in the nursing home. A lot of questions are being asked about the delays that

took place in the reporting procedure. The minister has already responded to that. I would like to say that I understand and sympathize with him in this very difficult situation. In the light of hindsight, we all have 20-20 vision and that makes the job somewhat difficult.

Having said that, I think it is obvious that as a result of this tragic situation there have to be new procedures and tightened controls. I read something that I thought everyone was taught in grade school, that if someone took frozen fish out of a refrigerator so as to put in ice cream and the fish sat on the floor for an hour and 20 minutes before going back in—

**Mr. Philip:** Was it tuna, though?

**Mr. Turner:** I cannot comment on that. The problem is that sort of thing should never happen; it would not happen in the minister's household, and it would not happen in mine or anyone else's. However, in a public facility we see sloppy procedures; I guess that is the best way to describe it.

We support the debate and look forward to engaging in more detail later this afternoon.

**Hon. Mr. Nixon:** Mr. Speaker, I received a copy of the emergency debate motion from your office with the time 11:58 marked on it; so it really was an emergency. I agree with the previous speakers that this sad and serious situation merits discussion in this House. I am not at all sure an emergency debate is going to lead to the solutions the members on all sides would wish.

Unfortunately, this food poisoning occurred, and the coroner is undertaking his investigations, which will lead to an inquest, but not until January. Presumably these reviews and investigations take a bit of time. It is not clear to me whether a special investigator could investigate any more fully, effectively or faster, because evidently the coroner has that responsibility at present.

The minister responded to questions from the New Democratic Party on Friday and today. Besides assuring the House that the proper procedures were being followed by way of investigation, I thought he indicated the most important response of all when expressing his concern, echoed on all sides, that he wanted to be sure we set in place decisions and attitudes that will mean such a disaster cannot occur again.

The call for a debate is an important one in this House. We cannot say it is not a matter of urgent importance because of the deaths; it certainly is. Notice was given in proper time. There is an



investigation under way, but that does not mean it should not be discussed here.

I would like to bring to your attention, Mr. Speaker, when you consider whether it is in order, that if we do not proceed with this special debate, the regular order of business this afternoon is for the provision of interim supply, which under our rules allows the members to talk on any subject they see fit. That would include matter pertaining to the subject in the motion for an emergency debate. It might be even more convenient in that there is no limit to the debate, whereas a special debate of the type sought by the New Democratic Party is limited to 10-minute speeches and must end at 6 p.m., without anything being put forward other than the development of views.

We do not object to the debate going forward if it is found to be in order.

**3:40 p.m.**

**Mr. Speaker:** I have listened carefully to the representatives of the three parties. They have stated their views that the issue was of important significance and, therefore, should be considered for debate. Hence, I feel I cannot rule it out of order, so the only question I will ask is, shall the debate proceed?

Motion agreed to.

**Mr. Speaker:** Because of the coroner's inquest that will take place, I suppose it is within my order—I hope I am in order—to caution all members not in any way to prejudice the rights of any person at that coroner's inquest. I remind all members they have up to 10 minutes to speak and the debate will continue until six o'clock if they wish it to last until that time.

#### EXTENDICARE LONDON NURSING HOME

**Mr. Rae:** I raised this matter on Thursday, on Friday and again today. I did so because I cannot honestly think of a tragedy that has taken place in the province which has so alarmed me in the sense that the response to this tragedy has been one which, in my judgement, remains inadequate.

One can compare this tragedy to others. We can all think of the awful and still unexplained events at the Hospital for Sick Children. While we are obviously dealing with a very different kind of outbreak, with 19 people who have lost their lives as the result of an epidemic, in contrast to that earlier event, we find this event is still being seen as a tragedy that has required the intervention of the chief medical officer of health for Ontario and that has been referred to a coroner's inquest.

I would remind the House that if there is one death in a nursing home, the Minister of Health (Mr. Elston) knows that under the Coroners Act that matter would be referred to a coroner's inquest. My concern is not with pointing the finger of blame at any one individual. My concern in our approach has never been to say there is an easy answer to this problem and that a simple prosecution or whatever will find an instant solution.

By way of background, I will tell the minister that one of the things I did in this House when I was first elected was to go over 15 years of debates with respect to nursing homes in Ontario. I have two folders full of questions and answers, both in committee and in the House. They must be six or eight inches high.

What is disturbing to me as leader of this party is that the issues that were raised time and again are raised again by this tragedy this September. We have had inquests in the past and the minister and others have asked why I am not satisfied with a coroner's inquest as the route to go in this instance. I will give them a simple answer. The answer is that we have had experience with inquests in the past and they have not resulted in the changes we feel are absolutely essential.

While listening to your words, Mr. Speaker, about not wanting to prejudice anyone's rights, it is fair to say there may well be a difference of opinion between people as to what amounts to reporting as soon as possible. When the minister has the outbreak of an epidemic—admittedly the first case on September 8 was one case, but the next day there were 10 cases and the day after that 16 cases—I would have thought that in any institution if we have 10 cases of diarrhoea reported on the same day, we would realize right away we have a problem. It is at that point the medical officer of health has to be informed and steps have to be taken.

I am not satisfied with the answers that have been given to the fundamental first question, which is the failure to report. I am not satisfied that we even have an adequate handle on the cause. I am not satisfied that we are aware of what happens to Ministry of Health reports that are sent out, like the one called a Guide to the Control of Enteric Disease Outbreaks in Health Care Facilities, which appear to go unused and unread by people involved in institutions.

We find in the case of this survey that was done and sent out that a document apparently has not been followed, and it is eminently clear that the minister himself has had to take certain steps in an administrative way because he knows perfect-

ly well what was supposed to be happening on the ground was not happening; that the theory of the law and the requirements of the law were not taking place.

The first speech I ever gave in the House as the leader of our party in response to a speech from the throne was a two-hour survey of what we had been able to find by placing people in nursing homes and talking about the realities of the inspection system. What Dr. Styliadis said in his report on September 20 was precisely the kind of problem that I raised in April 1983, that the member for Ottawa Centre (Ms. Gigantes) raised in the mid-1970s, that the member for Scarborough-Ellesmere (Mr. Warner) raised when he was first elected to this House and that we have been raising for a long time.

The way in which Ontario cares for its elderly is a scandal. It is something we have to recognize as a scandal. I hope the Minister of Health recognizes it is such. It is something that has to be addressed and dealt with. It is a tragedy of monumental proportions that it takes an epidemic of this kind to drive home what are very real problems in the kind of attention and care that we give to our elderly in institutions in this province. These are words I say with some degree of sadness, but it is true.

It is not good enough to have a medical officer of health or an assistant medical officer of health say it is understandable that it took three days for the information to be reported. We have a clear discrepancy between the information being provided by some officials and the information being provided by Dr. Styliadis. We have the fact that Dr. Korn has stated on national radio 10 days ago that if the medical officers of health had been informed earlier it would have made a difference. That is something that might have made a difference.

It is always difficult and unpleasant to have to ask the questions which are tough to ask. I heard the minister say today that he does not want to do anything that would cause any degree of a problem, from a judicial point of view, with respect to the individuals involved. None of us does, but 19 people have lost their lives.

They lost their lives not simply as a result of eating contaminated food—food that was apparently not prepared or stored properly and with which there was some problem—but some of them lost their lives because of person-to-person contact after September 8 because the bacteria was spreading through the institution during that time.

**3:50 p.m.**

That is what has happened and what has taken place. If this does not deserve an extraordinary response from the government and the public of this province, if this does not demand a full public inquiry, not one parallel to the coroner's inquest but one which would pre-empt an individual investigation under the Coroners Act and which would clearly have responsibility for dealing with all those deaths, with a full examination, then I say to the minister in all honesty that I do not know what it takes to move a government.

I know there is institutional resistance because we have seen it in the past. I know there are those advising the minister who say, "No, we are going to do it the way we have always done it." I know there are those forces which say, "The people raising questions will stop raising those questions and, anyway, they are always going on about this subject." If the minister is getting that kind of advice, he is being poorly advised. An inquiry is necessary and essential, and I very much hope the government will listen to the debate today and come to its senses and understand an inquiry is in the best interests of the administration of justice in Ontario.

**Mr. Turner:** I join in the debate with a great deal of sadness. The people in this province have a very fundamental confidence in the delivery of health care, particularly to the elderly. All kinds of questions are being asked as a result of the tragic results of this epidemic. As the minister has said, we have to be responsible and very cautious that we do not jeopardize the rights of anybody prior to the inquest being held, but there are some basic questions which have already been asked and will be asked time and again.

As I said earlier, in the light of hindsight, we all have 20-20 vision. We have to pause and ask questions about the length of time it took for the reporting, about the preparation of food, and about the very basic rules of hygiene. As I mentioned in my release of October 3, I would hope the minister in particular, and his staff in general, will pay attention to these very basic considerations. A lot of people are now questioning and, rightly or wrongly, making allegations concerning what is happening in their local institutions.

It would seem that we, or the minister, should not be relying only on the inspectors of the Ministry of Health. Undoubtedly this is going on as well, but maybe it should be going on on a regular basis that the health inspectors of the local health units may have to share more



responsibility than they have in the past for the inspection of these facilities. I know what that means. It will cost money, but we cannot compare the cost to a human life. Whatever it costs, it has to be done.

We have to involve more closely the medical officers of health than perhaps we have in the past. They have a very onerous responsibility within their own communities. Most of them are serving a very large area with minimal staff and they are providing many services. That is not to say they should not be providing more services. I feel very strongly that the health units in this province have not been recognized as the important bodies they are and that they can serve a much greater role.

I do not want to go over what has already been said. I do not want to raise concerns for the sake of raising them; neither do I want to be an alarmist. However, I think we all have a responsibility to the people of this province to assure them that health care, and in particular health care provided to the elderly, is second to none anywhere. That is our responsibility as a collective group in this Legislature. I impress that on the minister; undoubtedly he is well aware of it.

This is a tragedy of immense proportions. It has had widespread coverage and widespread concern has been expressed. It is rather interesting that the letters and phone calls that have come in as a result of that, question the very things we are talking about today. I urge the minister to take whatever steps are necessary to ensure nothing of this nature can happen again. I am not trying to prejudge the issue, but it seems to me that the basic fundamentals of cleanliness and hygiene may have been a contributing factor. If that is the case, let us involve the people at the local level who have the expertise and the authority to make sure these situations do not arise again.

I do not have to impress on the minister the importance of this matter. Obviously, he is not only well aware but is also very sensitive to the issue. I again urge him to proceed with as much haste as he can to ensure not only the involvement of inspectors of his own ministry but also that the local health units are brought in on a co-operative and day-to-day basis for consultation if need be. I urge him to take the utmost haste in these matters.

**Hon. Mr. Van Horne:** When a member stands in this chamber to take part in a debate, he or she usually says it is with a great deal of pleasure. The only pleasure I take out of joining in this debate is to be able to exercise my political

duty. I do not take any pleasure in the topic itself, a topic of considerable tragedy.

However, we are obliged to address the theme. This problem, which has been described in a variety of ways, is one that happened in London within a few blocks of where I grew up as a young person. It is now part of the riding of the Premier (Mr. Peterson). It is almost like home to me, and to see not just one death but 19 deaths happen in this series of events leaves me very sad indeed.

**4 p.m.**

Conversely, let me point out that during this series of events, I have had very close contact with the Minister of Health and have had a very different view to what I might have had some months ago. I am now the minister responsible for senior citizens' affairs and, as such, I have thrown myself into the work of reviewing the services available to seniors in our community and the problems within those services.

It has been my responsibility to travel about the province to talk with people who provide service and use service from all levels—from extended care to hospital, chronic hospital and acute hospital, to people who are dealing with items such as transportation and housing and any other services a senior might use or need.

Without trying to excuse any of the actions of this new government of ours, let me point out that we are addressing ourselves to all the problems that seniors face. To that end, there are people here in the gallery of the chamber today who have been working hard with me to enable me to present a complete report to the Premier and my cabinet caucus colleagues. This report will lay bare those areas of shortfall and will present, along with those areas, recommendations for improvement in the delivery of service.

We are working hard to that end. I do not want to be an apologist. I am simply pointing out that at the very beginning of its tenure, this new government realized the need out there for seniors and it is addressing itself to that need. If one were unkind, one might submit that the previous government, which had 42 years of opportunity to resolve problems, did not do a very thorough job.

Sure, it can take a bow here and there for this program or that program, the drug benefit program and the guaranteed annual income system for the aged. But let me submit that in the course of 42 years the previous government really did not address itself to all the needs of seniors in this province. Here we are as a new government—

**Mr. Ashe:** How does the minister know?

**Hon. Mr. Van Horne:** We have done more in three months than the previous government did in 42 years.

**Mr. Ashe:** You have not done a damned thing. That is a lot of gobbledegook.

**Hon. Mr. Van Horne:** The gobbledegook to which the member for Durham West (Mr. Ashe) refers is a figment of his imagination. The member is more wind than substance.

In the issue we are addressing today, the Minister of Health, to the very best of his ability, kept track of the events. Not only did he visit the community on a variety of occasions, but he and I together went through the Extendicare nursing home about the second week of the major part of the outbreak. He has directed his staff and used the resources available to him to the very best of his ability to try to resolve the problems.

The members of the New Democratic Party are seeking not just an explanation, but a complete public inquiry. In the more than eight years I have been in this House, that party has consistently attacked the government, as we did as members of the opposition, but it has consistently addressed the shortcomings of the government and has spoken for those people in the community that have been short-circuited by inadequacies, particularly the inadequacies in the seniors' care system. So I do not have a problem at all with their seeking this inquiry.

On the other hand, I do have to rely on my colleague the Minister of Health and his judgement in this instance. A minister without portfolio has no direct authority in any specific area of government responsibility. As I have indicated, my responsibility is to review the service system for seniors and make recommendations to the Premier and to my cabinet colleagues.

The member for Peterborough (Mr. Turner) has made references to sloppy food handling. I am sure he would agree that when the inquest comes about, it will make whatever references have to be made to the procedures that went on, and not only on that particular day. I assume they will broaden it out into general procedures as far as extended-care nursing homes are concerned.

I submit that if one wants to examine an inspection report, one has to be mindful of the fact that it is a one-shot picture of a situation that existed at a point in time. What concerns me is that the inspection service on any report would have to admit that it sees no more or no less than what is in front of it at that time.

We have to address ourselves to some system wherein the inspection becomes much broader in its context and much more complete, so that we are assured that those things we expect to see as good, positive features of the operation of a facility, which can be properly commended in a report, can be encouraged to be there on an ongoing basis. In addition, the items that fall short, which are referred to in inspection reports, can be eradicated and removed on a very permanent basis.

I am going to conclude by reminding the members present that this government is addressing itself very sincerely to the needs of seniors in our community, not only those in institutions but also those in their own homes and those who are healthy and happy in the community, but in need of some support from government. We are addressing those needs, and I submit that we have done more to meet those needs in three months than the preceding government did in its 42-year tenure.

**Mr. D. S. Cooke:** I appreciate the comments of the previous speakers this afternoon, but I think the member for London North (Mr. Van Horne) should understand that nobody here is questioning the sincerity of anybody in dealing with this issue. We are trying to look at the best avenue by which we can come to the facts of what happened, how it happened and how it can be prevented, not only in an extended-care nursing home in London, but in the province-wide system of care for our seniors.

Out of this tragedy arises an opportunity for a public inquiry that will specifically look at deficiencies that I believe the Minister of Health understands exist within the inspection process and that the member for London North also understands exist within the inspection process of the Ministry of Health's nursing homes inspection branch.

**4:10 p.m.**

If we take this tragedy, set up a public inquiry and come to grips with it in a public way, in a public forum, and recommend to the ministry substantial reforms in the inspection process, some good can come out of what has to be the most serious and sad tragedy that has occurred in Ontario in an institution since I have been a member of the Legislature.

I do remember back in the 1970s when there were problems in children's mental health centres, child abuse cases, etc. Many good recommendations came out of public inquiries, which resulted in changes in the system that have



reformed, to some extent, the method by which we take care of our children in need.

I am not making an accusation, but there is a perception that when it comes to the elderly in our province, some people in our society view the elderly as a group of people who are getting old and frail and who are eventually going to die and, therefore, a tragedy such as this need not be dealt with in the same way as with other groups.

I am not trying to say that is the attitude of the government. I am saying that is an attitude that exists in our society. All one needs to do is talk to people who work in the system, or those who have talked to people who work in the system or deal with them on a daily basis, to find that is an attitude we are always fighting.

It is very important for this tragedy to be dealt with in such a way that there is no impression left that we are saying these were residents of nursing homes and, therefore, it really did not matter. It does matter. I know it is the government's opinion, and certainly the opinion of this party, that these 19 lives were just as important as any other lost life in this province.

We have to look at what happened in this particular circumstance. The ministry went in and did its annual inspection. It found a serious deficiency within the kitchen and made its orders. There were plans approved for the new kitchen floor and this temporary kitchen was used. When they were moving back to the regular kitchen, there was an infraction of the Nursing Homes Act, an infraction of the act that may have—we do not know—resulted in this disease occurring in this nursing home.

A few days later the first case of diarrhoea occurred. The next day, September 9, there were 10 more cases; on September 10, there were 16 cases. Then the medical officer of health's environmental inspectors came in and inspected the new kitchen. They said everything was up to snuff. Nobody reported that to this point there had been 27 cases of epidemic diarrhoea. It was not until the next day when there were more cases that finally this matter was reported to the medical officer of health.

At this point, it seems to me that two pieces of legislation had been broken, the Nursing Homes Act and the Health Protection and Promotion Act. From September 8 to 13, a total of 51 cases of epidemic diarrhoea occurred in this nursing home, but it was not until September 16 that the MOH put isolation procedures into this nursing home.

Last Thursday the minister released a variety of reports, and I am thankful he released those

reports. They help us deal with the issue and come to grips with the facts of the case in this nursing home. However, one report from a consultant who looked at this kitchen again points to the problem. The medical officer of health's environmental inspectors went into this home and approved the kitchen. Then, a few days later, ministry people went in and found 25 serious violations of the methods by which food was being handled in this nursing home, after an epidemic had already occurred.

I am going to read some of these violations into the record because they are very important.

"In the walk-in freezer, ready-to-eat products, salami and ham, are stored with raw meats with possible cross-contamination. Raw meats may carry salmonella in addition to other pathogens.

"In the coolers, raw eggs in soiled trays were stored with ready-to-eat foods. This is a possible area of cross-contamination.

"In one cooler, raw meats were stored with the cooked meats, with possible cross-contamination. The counter where sandwiches were prepared was dirty. The can-opener was very dirty.

"Various cooking utensils, such as wooden spatulas, beaters and spoons...were dirty. The steam tray was very dirty. The telephone receiver in the kitchen area was heavily soiled. The automatic toaster was dirty. All measuring utensils were dirty.

"The scale and all the measuring weights were dirty."

The list goes on and on. In addition, when he returned a few days later to do a follow-up inspection, he still found that there were problems in the methods by which food was being handled. There were still problems a few days later when this gentleman from the ministry went in to do follow-up reports.

What is the response from the medical officer of health's office? Last week the assistant medical officer of health for the area said the report from the consultant from the Ministry of Health was incorrect, that they had done their inspection of the kitchen and that everything was adequate. Somebody is incorrect.

Even the administrator of this nursing home said he supported the findings of the ministry, that there were serious problems in the methods by which they were handling food and that there was a lack of cleanliness within the kitchen. This whole matter raises some very serious questions about the medical officer of health's handling of this situation in the London-Middlesex area.

There has never been a more serious incident of this particular epidemic in North America. To date, the ministry has indicated through its investigations that there is going to be an external review of the Ministry of Health's inspection procedures. While I think that is an important step, we need a public review of the inspection processes in this province, because the problems not only exist in London, they exist right across the province.

Documentation after documentation has been presented in this Legislature, question after question has been asked in this Legislature that shows clearly that the inspection process of our nursing homes is not working for the residents of the nursing homes in Ontario. This is an opportunity to have a public inquiry into the matter so that we can have some firm recommendations to clean up this process in order to avoid this type of tragedy ever occurring again.

There should be co-ordination between the inspections of the medical officer of health and those of the Ministry of Health. The mere fact that the minister himself and his staff had to order that co-ordination and sharing of information points out that there were some very serious problems, that information was not even shared. The fact that the staff are going to be trained in handling food again points to the fact that the minister has recognized that there were indeed problems that went way beyond what would normally be expected in a nursing home.

My time is running out, and I just want to make one final plea to the minister. Some good can come out of this tragedy. I would simply ask the minister to make sure he recognizes the dimensions of this problem, of this tragedy, and that he orders a public inquiry so that some good does come out of the death of these 19 people in the Extencicare London Nursing Home.

**Ms. Fish:** I am going to follow on some of the points made by the member for Windsor-Riverside (Mr. D. S. Cooke) as he was speaking in this debate because, in my view, he has raised some concerns I think are extremely important to emphasize.

The member has spoken about the problems that were identified in the reports that were filed with respect to this particular nursing home. I think we should pause for a moment to think about a couple of things.

**4:20 p.m.**

First of all, food handling in any institutional setting is among the most sensitive of the activities that are undertaken in those various institutions. The potential for contamination or

cross-contamination, the outbreak of disease, particularly in epidemic form, and the problems that relate, as was noted by the member, to the storage and handling of the food are brought into very sharp focus when we realize that in this case and in others involving nursing homes or homes that deal with children or those who are not competent, we are talking about food handling being undertaken by people in trust for those who are the residents of the homes.

We are talking about something that is rather more than simply a job in a restaurant around the corner or a convenient luncheonette. We take food inspection in those areas, health standards, standards of safety procedures and cleanliness and hygiene, very much to heart when we are dealing with those operations.

The question before us is how we could find ourselves in a circumstance where, with repeated inspections, repeated orders to comply and repeated plans to comply submitted, we none the less had a series of circumstances reported in this nursing home coincident—I will leave it at that today because the question of cause is yet to be determined—with what is surely the worst outbreak of *E. coli* bacteria and diarrhoeic epidemic we have seen in this province.

The member for London North (Mr. Van Horne) suggested that any such inspection is deeply flawed by virtue of the fact it takes a single snapshot in time. Yes, it is. So also is it only a single snapshot in time when contamination is past. So also is it only a single snapshot in time when incorrect procedures are used. So also is it only a single snapshot in time when deeply unhygienic procedures are followed that may result in mysterious contamination, not of one but of many, and the deaths that follow.

There is a problem. It is not that there is a snapshot but that a series of snapshots were taken in this case that told a very sad story that resulted in massive deaths.

I do not think the reports are to be dismissed in quite that fashion. I do not think one should simply say it was only a snapshot in time implying, as I inferred from the member's remarks, that if only the inspectors had been in on another day and on another occasion everything might have been tidy and lovely.

We must look here and in other cases at a series of work inspections and at a series of findings that seem to point in the direction of repeated problems, repeated laxity and repeated failure to attend to the various requirements that are put upon such operations by the Health Protection and Promotion Act, the Nursing Homes Act and



a variety of other regulations that come into play, quite apart from the prudent and sensible handling of food materials on the one hand and waste materials on the other.

I would like to read into the record a couple of more findings of the report that my colleague read in this House a few minutes ago. I note that he made reference to one of the findings: "Various cooking utensils, such as wooden spatulas, beaters, spoons (strainers), potato masher, dough roller, large pots, pans, salad bowls, trays, etc., were dirty." The key is that the finding was specific; namely, "There was an evidence of coagulated protein and scale on food-contact surfaces." It is the protein, the waste products, the leftover food material that is the home, if you will, of the sort of bacteria that have been found in this epidemic.

It is not simply that something was dirty with dust or might have been dirty with a little bit of newsprint or a bit of mud. It was dirty with the filth and waste that comes from used and unclean food-handling operations. That is a very different kind of dirty than the simple circumstance of being concerned with household dust.

I go on to look at another one: "The paddle of the Hobart mixer was not properly cleaned after use." Listen to this: "The purée blender was unwashed, with evidence of mould growth." One does not have to spend a lot of time in a kitchen to know that mould does not grow in 10 or 15 minutes. It takes a long time and a repeated practice of overlooking that particular dirty utensil to get to the point where mould will eventually grow in unwashed material.

It goes on to say that serving trays for food were dirty, the meat mixer was dirty; attachments were dirty and many were in poor condition.

Perhaps most telling, the reports raised the question of the training provided to those who work in these sorts of nursing homes and other institutions. One point in the report states that kitchen employees were wearing disposable gloves. That is an appropriate and correct procedure. However, the gloves remained unchanged, even when employees picked up items from the floor.

It raises the question of the point at which employees are trained properly in food handling and in safe procedures in dealing with such matters. It also raises the question about the degree to which the employees not only have been told what is correct but also are encouraged and supported in undertaking what is correct.

For example, they should have it made clear that if disposable gloves are being used and

something has been touched that should not be touched, those gloves are disposable for a reason, they are worn for a reason. They should be disposed of when something that should not be touched in food handling is touched.

In all the elements that come forward in this tragedy, perhaps the most telling is found in comments that I know have been referred to before but I would like to refer to them again. Very simply it said—and this is based, I stress again, on repeated investigations, repeated inspections, repeated orders to comply and repeated filing of plans to comply:

"It is inconceivable that the above conditions existed so long after the occurrence of a probable food-borne disease outbreak of such magnitude, e.g., the use of the meat cutting blocks for cutting raw and cooked meats without at least being washed and sanitized between the two activities."

I heartily agree that the tragedy which has come before us should be viewed as an opportunity to correct problems in inspection and to correct problems in training those who handle food and who care not only for our elderly but also for all those who look to the operators of such institutions in trust because they are unable to handle themselves.

It is my firm wish that the minister, in considering all these matters, will move to have a full inquiry to ensure proper training and inspection procedures are brought in; and will move to ensure this kind of tragedy does not happen again, either here with our elderly, elsewhere in group homes for those who are mentally retarded or for any in our society who find themselves in an institution where they place themselves in the trust of those who run it.

**4:30 p.m.**

**Ms. E. J. Smith:** As a person who for the whole of my political career has been involved in representing the people in the Extencicare home in London, I have a particular interest in speaking to this matter today. From the beginning, I have visited in the home, seen the people and known some of them and their families personally. Therefore, the House may be sure that I in no way take lightly the circumstances in which these people have died.

The questions are and remain: what did happen and how did this occur? The minister has promised that no efforts will be spared to get the answers to these questions. These are very serious questions that have been read into the record and presented to the public by the minister.

The methods of reporting the outbreak when it first occurred must be investigated. The treatment of the sick patients and of the staff must be investigated. The conditions in the home before, during and after the outbreak must be thoroughly investigated. The noted discrepancy between Dr. Tuttle and Dr. Styliadis must be clarified to see what the conditions are and what must be done to ensure these conditions never occur again.

The fact our minister made all this public immediately assures us all he is taking these things very seriously and that he will follow down to the bitter end to get the answers to all these questions and to ensure they do not occur again. If sloppy health care has contributed to this tragedy, then appropriate procedures must proceed to correct that; however, sloppy legal proceedings and yet unsubstantiated facts will not bring back the dead or comfort their families.

We must proceed with caution simply because these matters are so serious. We know we will proceed and, because they are so very serious we must proceed, in the appropriate and proper way. The Attorney General spoke to this matter on Friday and reminded us that charges cannot be laid until the facts are in.

I was interested that the member for York South (Mr. Rae) referred to the Hospital for Sick Children situation and to how seriously that matter had been taken. I remind the honourable member that it was taken seriously but that proper procedures were not followed in the legal sense. As a result, we have recently settled for something less than \$200,000 with the nurse who was charged too fast and without enough proof.

**Mr. Foulds:** That had nothing to do with the calling of the public inquiry, though.

**Ms. E. J. Smith:** That is correct. My comment has to do with the fact that it was suggested on Friday that charges should be laid.

There is no question. The minister has assured us that once he gets the report from the coroner he will do what is necessary in the way of a public inquiry. I have no doubt, nor do any of the members who know the Minister of Health, that he will follow through on this matter. In the city closest to this tragedy the people have no doubt that he will follow through. I will read into the record from this morning's editorial in the London Free Press:

"Ontario New Democratic Party Leader Bob Rae has good reason to be alarmed over the death of 18 elderly residents of the Extendicare London Home on Waterloo Street, but his colleague David Cooke was way off base to tell the Legislature last week that Health Minister

Murray Elston should lay charges against those responsible for the epidemic.

"That suggestion is irresponsible unless Cooke has specific evidence of criminal or civic wrongdoing in this tragic affair. It has already been announced that a coroner's inquest will examine the Extendicare deaths and police are gathering evidence. If charges are warranted, they will surely be laid in due course."

The editorial ends up: "How all these issues underline the causes of the Extendicare tragedy and how any recurrence might best be prevented should be the subject of a thorough-going review at the coroner's inquest and, if necessary, at a supplementary public inquiry."

The letters to the editor have also put this kind of confidence in the process.

We are not questioning in any way the need to look at all these very serious matters in a most serious way, but the emergency motion before the House is suggesting that the minister has not done what he should do; that is, that the response of the Minister of Health has been inadequate. What is inadequate here is the motion before the House.

The Minister of Health is providing appropriate steps to be taken in the appropriate way. When steps are taken by him they will have been taken in an orderly process with the facts in front of him, in front of the Attorney General and in front of the people. I have every confidence, as do the people in London, that he will follow through and that he is taking the proper steps at this time in that process.

**Mr. McClellan:** Let me start by saying that I do not think my colleague, whom I respect, understands the issue at stake. This is not a routine nursing home death we are talking about. This is obvious, perhaps, but it needs to be said: this is the worst institutional tragedy in North American history.

The method of dealing with a routine nursing home death is a coroner's inquest. What kind of signal is the government sending out by dealing with this tragedy through the vehicle of a coroner's inquest? This is not a matter of routine; this is not in any way an ordinary problem. This is an extraordinary catastrophe that has happened at this nursing home.

Second, this is not the first time there has been a problem in a nursing home in Ontario. I am sure the minister is aware, even though he may find it difficult to say this in public, that he has inherited a bad system, one that is riddled with problems. Some of these problems are so serious they kill



people, and the minister's charge is to break the cycle.

Many of us have been involved in these debates before in this House. I served as Health critic for the New Democratic Party when we initiated our investigation of nursing home problems in 1983. We have been on the coroner's inquest path before. Without making any reflection on the competence or qualifications of the gentleman who has been appointed to conduct this coroner's inquest, I must say that coroners' inquests in the past have proved to be singularly ineffective in dealing with some of the problems that have existed in the past and still exist.

I raised the problems of the Ark Eden Nursing Home in this assembly, and I know the minister is familiar with the details of that situation. I have here the coroner's finding from the Ark Eden Nursing Home. All it says is that this poor young man died of bronchial pneumonia. That is what the coroner's inquest discovered about the problems at Ark Eden Nursing Home, that a young man had died of bronchial pneumonia.

We all know the history of that place and of the involvement of the Ministry of Health and the passage of the Health Facilities Special Orders Act to permit the Ministry of Health to take that place over and to rescue the people who were incarcerated in the Ark Eden Nursing Home. Again, the coroner's inquest was simply inadequate to deal with the problems there. A whole series of other measures had to be taken. A coroner's inquest in that instance was almost irrelevant.

We had a coroner's inquest recently in another case, the Irene Brad case. Without going into the details, I am sure the minister will have heard the concern expressed that the coroner instructed the jury to disregard the results of the coroner's investigation. It is simply not good enough.

**4:40 p.m.**

The kinds of questions that have to be looked at in this instance are so broad and extensive that we jeopardize a successful discovery of answers by relying on a method of inquiry that is not designed for this kind of an enormity.

Many of the questions have been alluded to in question period or during the course of this debate. Why did the reporting break down between the staff and the medical authorities in the home, between the medical authorities in the home and the medical officer of health, and between the medical officer of health and the Ministry of Health? The entire reporting system broke down. This is not the first time this has happened.

The document my leader referred to entitled, *A Guide to the Control of Enteric Disease Outbreaks in Health Care Facilities*, came out of a crisis that was raised in this House, the same kind of failure of reporting, the same kind of breakdown in communications at the hospital in Peterborough in 1982. We have gone down this path already a number of times.

It is not the first time questions have been raised about the adequacy of Ministry of Health inspections. How on earth was it possible for that place to stay so dirty for so long, apparently right under the noses of the ministry officials? Let me ask, rhetorically I am sure, but let me ask the question at any rate, why was the Health Facilities Special Orders Act not invoked when it became clear a major epidemic was breaking out?

The ministry has taken over nursing homes in the past in order to safeguard the residents. We passed that piece of legislation to give the Minister of Health the power to exercise his responsibility of care. Did nobody ever suggest there was such a crisis in this nursing home that the Health Facilities Special Orders Act should be invoked? Is there such a difference between an Extencicare nursing home owned by the Extencicare chain and the Ark Eden Nursing Home owned by a little mom-and-pop operation? Is that what is at stake here? Or is the system just fused out?

I do not understand how a coroner's inquest is supposed to grapple with some of these problems, all of which have been on our plate for 10 or 15 years. I also think the minister is going to have to look at the broader questions, and perhaps an inquiry now is as good a time as any to start. How much longer are we going to rely on this kind of institutional care? I am tempted to say it is institutional incarceration.

Let me say to the minister, I do not ever want to live in a house with 170 bedrooms. I do not ever want to live in that kind of a place. I do not see why in 1985 we cannot devise a system that makes it possible for our elderly to live in dignity and comfort with six, seven or eight other people in something approximating a normal home environment.

Until one is an elderly person in this society, the only way to end up in an institution with 170 beds is to break the law and get sent to jail or, God help us, to get sick and have to go to hospital. That is how to get institutionalized, to break the law or get sick or get old.

It is not beyond our capacity as a society to devise a system that does not mean that when

there is an outbreak of infection of this kind it kills 26 people because there are 170 people living in the building. We can do better than that. I hope the minister will start to look seriously at some of the broader issues involved in how we provide care for elderly people in this society. The old, 19th-century model of institutional incarceration simply is not civilized. It is not adequate and we do not have to do it. We have the resources to do a better job.

In conclusion, I hope the minister will take a sober second look at his proposal to rely on the coroner's inquest route because it simply is not adequate.

**Mr. Eves:** I would like to join the other members of the assembly in their concern over the way the tragic events at the Extendicare Nursing Home in London were handled and in looking for assurances that this kind of incident cannot and will not happen again. The events of the past few weeks call into serious question the procedures the Ministry of Health has in place and the judgements that were made by many people involved in putting these procedures into operation.

While the first case of this outbreak was discovered on September 8, it was not until September 24 that the minister ordered a special team of provincial and federal medical inspectors to look into the outbreak. That is an unconscionable delay that is second only to the fact that we have to wait four months from the start of the outbreak until a coroner's inquest is held.

While I understand this represents the procedures that are in place for dealing with this type of situation, I must in all honesty agree with those who have suggested this is no ordinary occurrence. Perhaps under these circumstances the ordinary procedures are just not good enough. We know now this has been the worst outbreak of its kind in North America, with the 19th victim recently dying. That fact, combined with the suffering of all those who contracted the illness and those who died as a result, provides a strong argument for doing more than just following the ordinary procedures.

The relatives of residents of Extendicare have already indicated that in spite of ministry assurances they were kept informed of events as they happened, they feel both angry and frustrated. They do not believe they know enough about how their relatives died. Understandably, they do not believe they should wait four more months to find out.

While I applaud the minister's announcement that new measures will be taken to improve the

reporting system and information flow from ministry officials and health officers, I am not so sure his assurances about these new policies are good enough in the light of the total breakdown of the system in the Extendicare case. The ministry has promised that all health officers will have a special responsibility to communicate, interpret and explain the nature of an outbreak to the public and that all such outbreaks in nursing homes will be treated as an emergency. That is all fine and well, but it fails to address the key question of how the system went so far wrong in dealing with the Extendicare emergency in the first place.

More important, the minister's new measures do not reflect the fact that this tragedy was caused by more than inadequate procedures. It was also the result of poor judgement on many fronts, a problem that cannot be resolved by simply having more new procedures. Without question, Dr. Styliadis's report of October 4 is appalling in what it found in the Extendicare facility, even after the outbreak was widespread enough to be considered an emergency by anyone. In reading his report, I lost count of the number of items in the kitchen that he noted as being "dirty." He went on to note 25 separate cleaning and sanitation procedures he found to be totally inadequate.

Frankly, in the light of this report, done several days after the outbreak had started and after many of the residents were affected, I fail to see how anyone with a loved one in this home could have any confidence in the current approach to the issue. Furthermore, with outbreaks in the Sun Haven Nursing Home and the Meadow Park Retirement Home as well, it seems to me the need for measures beyond ordinary procedures in conducting this investigation is imperative if we are to assure the public, and especially those with relatives and loved ones in our provincial facilities, that we will do everything in our power to safeguard the residents of these facilities.

**4:50 p.m.**

One important step in assuring the public this kind of thing will not happen again is the minister's inquiry and operations in the nursing homes branch of the ministry. Again, though, as is the case with the coroner's inquiry, no public input will be involved. In the light of the extraordinary and terrible nature of this situation and the outrage of those whose relatives have died, I ask again if this procedure will be good enough to answer all the public concerns raised by the mishandling of the epidemic at Extendicare.



care. On the one hand, the member for London North agrees with the request for a public inquiry; on the other hand, he waffles on that commitment.

To me, the most important concern we have before us when examining this issue is whether or not we will have done everything in our power to assure the public this will not happen again and that all conceivable measures have been taken into account to make our system of inspection and reporting as foolproof as is humanly possible. If we have not done everything humanly possible to ensure this and to allay the understandable public fears the Extendicare tragedy has raised, then we, as members of government, will not have done enough.

**Mr. Haggerty:** I want to address the resolution this afternoon, the question about a public inquiry into the fatalities in the Extendicare London Nursing Home.

I share my concerns with other members concerning the 19 deaths. I look at it across Ontario and ask, will it happen again? I suppose that is a question we should be addressing ourselves to, and what caused it in the first place.

I think we can go back—and I am thinking about the Niagara district now and the area I represent, the riding of Erie—and look at the government restraint program over the last three or four years, in particular as it relates to the district health unit in the Niagara region. I can draw a parallel to the situation in London, Ontario.

I am from the old school, I might say. I was opposed to regional government. When I look at the situation in the Niagara region, particularly in the Fort Erie and Port Colborne areas, a year ago we had a problem of the closing down of the beaches. It was done by an order of the medical officer of health in the region. It was great to close beaches down, but the order did not indicate the cause or the reason for the closure. What bacteria and what contaminants were found there, nobody knows to this day.

In the Niagara region, in the restraint program over the last four years they closed down the regional offices and facilities of the Niagara district health unit in Fort Erie and in Port Colborne. Personnel looking after health problems in the area, looking after the school children and the restaurant inspections with regard to handling of food, spend half their time travelling from where they live locally in Fort Erie over to the Niagara regional headquarters and then have to come back and make their inspections. We talk about restraint. Let us just take a look at that. Is

this one of the reasons this event happened in London, because of government restraint, cutting back on the number of inspectors who are required to do sufficient and proper inspections of these institutions?

I can think of an instance in the Niagara region where the recommendation is to accommodate another 100-odd beds in Fort Erie and Niagara Falls, nursing home beds or homes for the aged. The previous government put more importance on the value of that bed than on providing sufficient health care to the residents in these nursing homes.

Ridgeway had 21 beds. Orders came from the Ministry of Health that some improvements had to be made in that institution. Some member mentioned the small, older home with 21 beds. There was a value put on each bed. I think they sold eventually. Instead of getting in and remodelling the building and putting in the safety requirements, the beds were sold at about \$10,000 to \$12,000 per bed. I have done some research in that area and I am told beds now can go for as much as \$20,000, \$25,000 and maybe \$30,000. That is the whole thing. When we centralize these nursing homes, the interest is in the value of the bed. It is like picking up a taxi licence in Toronto. It is \$90,000 for a taxi licence. In a sense, it is building an empire.

An administrator from the Niagara region, Doug Rapelji, has been an advisory counsellor for the elderly, for senior citizens in Ontario. I have often listened to him comment that we are moving in the wrong area, that the government should be looking after the care of elderly people who require extended care and nursing home care.

There was an incident not long ago at Crystal Beach where there is a shortfall in accommodation in nursing homes and homes for the aged. There is a movement going across the province. The next thing is rest homes for the elderly. In the instance in Crystal Beach, the place was nothing but an old boarding house at one time. A number of people were there.

The information I obtained was that during the cold winter months last year small electric heaters were plugged into the wall with old wiring. An elderly person could trip on that and there could be a fire. I think some improvements have been made. However, there are people today who are looking to make a fast dollar. One way to do it is to get into rest homes because there is a shortfall.

One problem in the area of rest homes is the matter of inspections. There is nothing under the

Ministry of Community and Social Services and nothing under the Ministry of Health. It is left to the local municipalities. They have enough on their hands now without providing inspections in that area. The only area of inspection they provide is done through the local fire inspection officer. Very little is given to the need for medical attention or the matter of providing good, nourishing and safe food.

We can go back and look at the previous government and its restraint program. No doubt that is one of the reasons we have had the situation in London. It could happen in other places in Ontario until there is sufficient staff.

We need to decentralize the health units in the Niagara region and put them back at the local municipality. We could even go back to the old medical officer of health who had complete control. Every month the matter was referred to a local council that looked after the health and welfare of the community. The health nurses used to report to council every week. Now nobody ever sees a report except once a year. Nobody knows what goes on in some of these cases. Perhaps decentralization would bring much of this to the surface before an accident happens. I suggest to the minister that he should take a hard look at this situation.

We find the same thing in ambulance services in Niagara south. It is great to say we should have regional government, but Niagara south has been short-changed in many areas such as ambulance service, police service and health care services.

**Ms. Gigantes:** Before I begin the main part of my remarks, I would like to follow up on a couple of comments made by the member for Erie (Mr. Haggerty). As usual, out of his long experience he has been able to give us a kind of backdrop for an issue that confronts us. However, I would like to suggest he might think of the difficulties that surround the problem of money and care for the elderly these days in Ontario in 1985, and give a bit more thought to his proposed solution of decentralization of services for the elderly and decentralization of control for services to the elderly.

**5 p.m.**

We know, and it is well documented, about the amount of money contributed by private profit-making firms in the nursing home business to political parties in this province. It is documented because it has to be documented under the rules of the Commission on Election Contributions and Expenses. That is not true at the local level.

If the member for Erie is suggesting we decentralize the administration and move the

responsibility back to the local level of government, I hope he will propose a reform of election expenses accounting at the municipal level at the same time, because he is opening another big door for more of the practices we have seen at the provincial level, which we know of because they are documented.

The main point of our discussion this afternoon is to try to discover why there should be a public inquiry in the case of the deaths that have occurred in the Extendicare London Nursing Home.

We have to go through it item by item. There are 170 beds in that Extendicare home. By September 26 there were 69 cases of diarrhoea in that home and 19 people died. That is not a small occurrence. It means that among the people who are residents there and the people who work there a very major proportion became infected.

It seems to me that a coroner's inquest is an appropriate forum, as set out in our legislation, to determine (1) the cause of death and (2) whether there is any criminal responsibility for those deaths. But I do not think it is an appropriate forum in which to look at this case when we are dealing with 19 deaths that occurred during a period of six weeks. There were, in contradiction to what I was told by the minister last week in a private conversation, at least two rounds of infection that went on at that nursing home.

I quote from the London Free Press of September 26 Dr. Korn, the Ontario medical officer of health, who said, "I think we are just a little disappointed that we are seeing the cross-infection in staff." This was not one infection; this was one infection rounding into another infection and we do not know how many infections.

Further, it was not just any diarrhoea. This is known technically as haemorrhagic diarrhoea, haemorrhagic enteritis. It is a most violent, most painful illness, and it has led to death. It is a serious illness.

We need a public inquiry because we need to know the role that was played by the ministry inspection branch before the occurrence of this illness; that is number one. We need to know the reporting that went on, both internally within that home and externally to public officials, to outside doctors. I think a public inquiry is necessary to look into that.

Further, we need to look at the role of physicians in this whole matter. A lot of physicians were involved in this matter. There is a nursing home physician. I do not know who that was. There should have been one on call at



that nursing home. Who is the nursing home physician? What role does that physician play? There were family doctors involved, called in by families to assist in the treatment of elderly relatives.

Then there are the doctors who were employed at the Middlesex-London District Health Unit, who have disagreed with the implied and asserted seriousness of the described conditions that Ministry of Health consultants found on investigation on September 20, and seemed to downplay the seriousness of those conditions.

This is a difficult matter to address, but I suggest one of the main reasons we need a public inquiry is to understand the role of all these physicians in their various functions in this event and to understand how physicians work within the nursing home system. There is a lot that bears looking at in the context surrounding this case. We need an inquiry with enough mandate to examine all the relevant evidence of how the nursing home system operates so as to allow 69 cases of a violent and dangerous infection and 19 deaths over six weeks.

The minister has suggested to us we should wait for a coroner's inquest which, according to newspaper reports, will not come before January. I suggest there will be a lot of people who might add valuable information to an inquiry who will have lost their recollection before January and lost faith that the whole effort is worth while. I feel very strongly that the minister should be saying a coroner's inquiry is not adequate, that he has enough evidence now to call a public inquiry that will be commenced and pulled together starting next week.

There are a couple of other points. The minister has said he is reluctant to lay charges, that somehow this would be an interference with the system of justice and how it must engage in this matter. The member for London South (Ms. E. J. Smith) made the same suggestion, quoting from a local newspaper which attacked my colleague the member for Windsor-Riverside (Mr. D. S. Cooke).

Both of them fail to understand that what we are talking about here is not the laying of criminal charges. There is absolutely no relevance in bringing up the case of Susan Nelles. Susan Nelles was criminally charged for something she did not do and she was criminally charged in haste.

We are not suggesting criminal charges. We are suggesting administrative measures on which the minister must, under existing legislation in Ontario, follow through. It is his responsibility.

He must lay charges under the Health Protection and Promotion Act when he sees glaring deficiencies in an operation. He must lay charges under the Nursing Homes Act when he sees there are failings in a situation such as at that nursing home.

The minister is setting a bad precedent. Suppose we go through a coroner's inquiry, as he would have us do some time in January or February, with disheartened relatives. How far will they be involved? How much will it mean to them? How far can their recollections be brought to bear on what the public needs to know and what the public has a right to expect in terms of their concerns?

The minister would have us wait until January or February for a coroner's inquest. In the meantime he was very reluctant to lay charges for fear that somehow this will impede the justice system as it must operate around this case. I suggest this is a very bad precedent. We do not know what to expect out of a coroner's inquiry. We are afraid it will be of very limited usefulness either to our understanding of the incidents that have occurred in this particular home or to a public unravelling of the nursing home system as it operates in this province and provides a setting for this kind of incident.

We do not wish to see a minister sitting by and awaiting such an airy-fairy possibility as having a coroner's inquest sort out this mess for us in a useful way, sitting by and not taking on his responsibilities under the acts he is called upon to administer.

**The Deputy Speaker:** May I draw the speaker's attention to the clock?

**Ms. Gigantes:** How much time do you give me, Mr. Speaker?

**The Deputy Speaker:** I am afraid you are out of time.

**Ms. Gigantes:** Thank you. I will just make one further point. Through the 10 years in which I have been in and out of this Legislature, listening to people in the public and members of this Legislature beg for an investigation into the whole system of nursing homes in this province, what we have been dealing with is a problem which now, finally, we have to confront, namely, the cost of contracting out care for the elderly people of the province.

We have to do something about that. I suggest the minister start here and now.

**Mr. Lane:** Thank you for the opportunity to say a few words in this debate. It is inconceivable that in this day and age a mishap that would take

the lives of 19 elderly residents of a nursing home in the province could be allowed to happen. I am not in a position to point a finger at anyone. As my colleagues in the House have said, the cause has not officially been determined.

However, I feel we must pay more attention to the facilities and care we provide for our senior people. These people are the cream of the crop. Through the efforts of our senior citizens, we have a wonderful province in which to live. Now, in the sunset years of their lives, the best is none too good for them. They have earned the best, they deserve the best and we must make sure they get the best possible facilities and care available, regardless of where they live.

Thank goodness we have never before been confronted with a tragedy like this one. It has taken the lives of 19 elderly people. This gives us an opportunity to speak about other fatalities in nursing homes that may happen on a daily basis, of which we have no record. There is no coroner's inquest in connection with these. This is especially true in northern Ontario, where people die from loneliness. These are people who have gone through this world and arrived at the ripe old age of 80 or 85, or whatever, and who would like to be close to the area where they spent their lives, to be close to family and relatives and friends.

In the sparsely populated parts of this province where it would take 75 to 100 units to be viable, this is just not happening. Many of these people in northern Ontario are 150 miles away from their loved ones. Visitation is not possible except perhaps once a year. These people just pine away and die before their time.

This debate this afternoon gives us an opportunity to look at some of the things we should look at regarding the care of senior citizens. I saw this problem seven or eight years ago. I brought it to the attention of my colleagues in government, suggesting we should have what I called a total needs complex. If we put together various facilities, we can have people close enough so they will not be 150 miles from home but within a 25-mile radius of home, and visitation can happen frequently.

There was a lot of effort and disappointment on my part to get this project finally on its way, but we are now counting the days until this facility will be open. There will be 30 rental units for seniors, 30 nursing home beds and a drop-in centre so the people in the institution will not be left alone day after day if their relatives do not show up. The people from the community will be coming in to talk with them about what is

happening outside and they will feel very much a part of it.

**5:10 p.m.**

Apart from my projection, the hospital board decided that it should build a new hospital. In any case they should attach the hospital to this total needs complex. When this is finished, the people in the institution will be able to go any place in the building. There is an elevator for those in apartments, so that anyone in a wheelchair can go anywhere and visit any part of it without having to leave the building.

If you associate with senior people, you will find they do not want to be transferred from one place to another in their old age. They like to have the same environment. This is the only way we can go in northern Ontario. I hope my colleagues will listen to what I am saying and look at what we have been talking about for the last five or six years. We are building this one in Espanola through a nonprofit corporation and through a grant from the Ministry of Northern Affairs and Mines.

I just want to point out that while we are talking about something that is a tragedy of tremendous proportions, if we look at all the facilities we have in this province and all the people who die from loneliness in these institutions, it is probably a greater number.

I want to say in closing that not only do we have to face up to what has happened in London, but we have to face up to the fact that there is a better way to do it and we should all be working towards that better way.

**Mr. Warner:** At the outset, I wish to offer an apology to the minister. The other day he was the recipient of an outburst of mine which really was the result of 10 years of frustration, 10 years of having to grapple with the situation we have in Ontario.

Like all members of the House, I was deeply disturbed by the deaths which occurred in London. I was not, however, surprised. From my experience, it is simply a matter of time. We have had a little time bomb ticking away in the nursing homes of Ontario for many years. When the deaths occurred, they were tragic and enormously irreconcilable in a way. Unless something is done, there will be a recurrence at other places throughout the province.

The minister has a reputation, which goes ahead of him, of being a very honest and honourable gentleman who takes his job very seriously. The minister is realizing perhaps, if he has not realized it already, that he has inherited a mess of immense proportions. I can offer him our



sincere wishes from this side of the House that if there is any way in which we can co-operate in helping him to tidy up the mess, we will do it.

I want to let the minister know a couple of my experiences which, in and of themselves, set the tone and will perhaps give him an idea of the dimension of the problem.

First, the minister is no doubt aware of the tremendous lobby influence of the nursing home operators. These are very powerful individuals with a lot of money behind them and their voice is always very clearly heard in the halls of power. They do not have to go to the minister's office. It was not necessary in the past and it is probably not necessary today. They have other ways.

During one of my previous terms in office, I took up the cause of a couple of nursing homes in which it was quite evident there were very serious problems. In the course of the actions, a gentleman presented himself to me. We met secretly. He gave me the information I was looking for. He informed me that he had been a senior official in the nursing home inspection branch and that, out of conscience, he quit. Ironically, at one time his area of inspection was the London district.

**5:20 p.m.**

He told me the story of having parked outside a home in the London area at 4 a.m. and watching the lights systematically go on, up and down the hallways. He inquired further to find the residents were being roused for breakfast at 4 a.m. because they were understaffed. Getting along with minimum staff is one of the ways to make money in a nursing home. When one has minimum staff, one wakes up people at 4 a.m. to give them breakfast.

This gentleman, who was a senior official, did his report and followed it through. Because of the dispute within the ministry over actually doing something with the reports, he found himself in the untenable position of supporting the residents against the wishes of the Ontario Nursing Home Association, and thus he quit. I pressed him further for details, and he gave me all the details I wanted, but he cautioned me, "Please, whatever you do, do not reveal my name."

I said: "Why? You are not an official any more." He said: "Yes, I am in private business. I can tell you"—these words I remember as though they were spoken today—"that if through your actions in the House they find out where the information came from, the Tories will put me out of business. You do not know how powerful the Big Blue Machine is in Ontario. They will find a way to put me out of business."

He was operating a small private business. Unfortunately, over the next while, although I did not reveal the source, an indiscreet newspaper person, without using his name, provided the kind of description that made it easy for the ministry people to find out who he was. Lo and behold, would members be surprised to learn that within six months he was out of business?

It turns out he required certain bylaw changes, which were routine for other businesses. While other businesses had received the bylaw changes necessary to operate their little shops in a new area, he did not get his. He ended up declaring bankruptcy. Through that experience and many others, I learned where the power lay. It lay with the Tory machinery and with the Ontario Nursing Home Association.

The minister will be aware that there has been an interesting relationship between the senior officials in the ministry and the Ontario Nursing Home Association. If I am not mistaken, one of them was the director of the nursing home association. He left the ministry from a senior position to be the director of the association. It is an incestuous relationship.

The minister is now confronted with a multitude of problems. We have unfolded in front of us, unfortunately, the worst institutional tragedy in the history of North America, as far as we can determine, and certainly in Ontario. The minister has to have a way to deal with that, and he needs some good suggestions and support. Through it all, somehow the minister also has to exercise his authority over the nursing home operators so they are not running the nursing homes branch, so they are not the ones in control of the officials, and it is the minister who is in charge.

This is where I put my faith, to be very candid. I think the minister is sincere when he says he wants to solve the problem. This will be a first. We have never had a Conservative Minister of Health who had any interest in solving the problem. I frankly believe the minister wants to solve the problem, but it means he will have to confront the powers.

That is why, with the kind of tangled web that exists in the nursing homes branch and with the power of that lobby, he somehow has to go outside that. The only route I can think of that will solve his problem, or least get him on the right track, is to ask for a judicial inquiry under the Public Inquiries Act. That is the route.

That is no slight to the coroner of the area. It is no slight to what is quite often a very useful exercise with individual deaths or even in some

instances with two or three related deaths. This is a special circumstance, however, and in the long run if the minister has at heart, as I believe he has, the interests of the residents of nursing homes throughout this entire province and is trying to protect them, he has to use something at his disposal to get outside the normal channels; that is, a judicial inquiry.

It is a good route and the minister will have some comfort in that route. Maybe through this process, for the first time in Ontario and once and for all, seniors and others can have some guarantee of civilized care when it is necessary for individuals to be institutionalized. Maybe for the first time there will be some justice in those homes. Maybe the moneygrubbers will not get their way.

In closing, I urge the minister to opt for a judicial inquiry. I can tell him very sincerely that should he decide to do that or to take any other prudent course of action, I and my colleagues in this party will stand beside him heartily and assist him in whatever way we can, so the people of Ontario can get better care in the nursing homes in this province.

**Mrs. Marland:** I am not happy to have to rise to speak on this issue. In Mississauga South there are three nursing homes. Interestingly enough, one of them is run by the region of Peel and the other two are private nursing homes. One of the reasons I am not happy to have to rise on this issue is that it immediately brings history to mind.

The member for Scarborough-Ellesmere (Mr. Warner) is incorrect in one of his statements. He said, "This is the worst institutional tragedy in Canada or at least in Ontario." I believe those were his words. I would like to remind him and any other previous speaker on the subject in the House today that the worst tragedy in Canadian history in an institution took place on July 14, 1980, in Mississauga. On that day in that year, we had 25 deaths and, regrettably, I have to refer to the fact that those 25 deaths did take place in another Extendicare facility. That in itself is a regrettable statement to have to place on the record of this House.

It may well be that some of the criticism of the Minister of Health in this House today has been directed at procedure, but I have to make personal note of the fact that whether or not it is a matter of procedure, we are dealing in both cases with a private nursing home operated by Extendicare.

5:30 p.m.

The other regret I have is with regard to a statement made this afternoon by the member for Windsor-Riverside (Mr. D. S. Cooke). I feel it is necessary to set the record straight when that speaker stated that this tragedy reflects the attitude to the aged in this province. That is a very serious statement for anyone to make, and it is a particularly serious statement when it is made by someone who is elected to represent the interests of people of all ages.

It is true that the aged people in this province require special consideration, but I am proud to say that I believe the aged in Ontario have received and are continuing to receive special consideration, and a statement such as was made in a sweeping, general way is very much a smack in the face of volunteerism.

In Mississauga South in Sheridan Villa, with which I am very familiar, we have individuals who have volunteered in excess of 1,000 hours to serve the needs of the people who are institutionalized in a home for the aged, which has now evolved into a nursing home simply through the years it has been in existence.

I want to make very clear that I am proud of the record of the volunteers in this province who continually dedicate and commit their time to the wellbeing of the people in these homes and these institutions, and if anyone would like an example of how that works and how effective it is, I would be most happy to have him tour Sheridan Villa.

I would also like to set the record straight about what happens after these tragedies occur. In the case of the Extendicare fire with the 25 deaths in Mississauga, the provincial government of that day—which, as we all know, was a Progressive Conservative government—immediately brought into action the Ministry of the Solicitor General with the Ontario fire marshal. As a result of that tragedy, we had intensely escalated requirements for the operation of all nursing homes in this province, be they private or government-operated, with respect to fire protection. I look forward to the current Minister of Health coming forward with his proactive proposals to ensure that the kind of tragedy being addressed in the House today will not recur.

I would like to question why this report of Dr. Styliadis is marked "Confidential." I do not know why a report of this kind on any institution in which the public is housed would have to be marked "Confidential." It is rather curious, I suppose, that I am even able to have it, since it is marked "Confidential." I hope that in the future a report of this gravity will not be marked "Confidential." I also notice that the report of Dr.



Styliadis points out that his degree is in veterinary medicine. I hope there is no significance in that.

If there is one emphasis I would leave with members today, it is that I hope we will not continue to look at history but will look at the future. I hope that in looking at the future we can assure the people within our public and private institutions in this province that they will never have to fear having this kind of tragedy recur.

In looking at the problems, I would like to ask the minister to consider looking closely at the profit margins between private and public nursing homes. It is obvious that a government-run institution, at least with today's budget restraints, is going to run an institution as efficiently as it possibly can from a financial point of view without jeopardizing the safety, health or comfort of those residents. It would be great if we could have, after the minister's investigation, the assurance that a private nursing home will meet the same requirements and the people who are residents of a private nursing home will have the same assurance and security that their care will be commendable and comparable to that of public nursing homes.

The public nursing homes in the region of Peel, with which I have been familiar for the past 11 years, do not run at a tremendous deficit. I know of a government-run nursing home in Parry Sound which actually runs at a profit. If that can be done in a government home without jeopardy to the residents, then I think the profit margin in a private nursing home can still be equitable from a business point of view while providing the care that is needed. I would go as far as to say that if the care is not acceptable in its standard and in the delivery of service, then there is no way any of those institutions that are privately run should be licensed in this province today.

I look forward to the report by the minister. I hope that in the short term—

**Mr. Speaker:** The honourable member's time has expired.

**Mrs. Marland:** Thank you, Mr. Speaker. I am finishing at this point. In the short term, while the investigation is going on, and I recognize the need for time to do a thorough investigation, I ask that the ministry consider hiring additional inspection staff to introduce higher standards.

**Mr. Speaker:** Order. The honourable member's time has expired.

**Mr. Foulds:** I rise to participate in the debate for a couple of reasons. One of them is that as a person who lives far away from this place and far away from London, I am surprised, a little bit

shocked and puzzled that the tragedy at this nursing home has not received wider attention and generated wider concern.

We have a situation in which 19 people have died. That is a bald, cold fact. We have a situation in which 19 people need not have died; but for whatever reason, they did. There seems to be no sense of urgency, no sense of outrage and no sense of trying to determine responsibility. I submit that there should be. After all, more than 10 per cent of the population of that nursing home died.

If 10 per cent of the population of this institution, the Ontario Legislature, died from some unknown cause, members know there would be an outrage and determination on the part of the people of this institution to find the cause and find it damned fast. If 10 per cent of the population of any institution in this province died and need not have died, there would be a strong sense of outrage, urgency and immediacy.

**5:40 p.m.**

The minister is, I believe, a decent and sincere man and I believe he wishes to get to the bottom of this matter, but so far he has not displayed that to us. I regret that. A coroner's inquest that is held three or four months after the event is not sufficient, as my colleague the member for Ottawa Centre (Ms. Gigantes) pointed out so well a few moments ago.

Nursing homes have been a problem in this province for some 10 years. This tragedy has a twofold aspect: the immediate tragedy of the immediate home and the immediate deaths, and why it took so long to report the instances of infection and diarrhoea. Why did it take so long, even after Dr. Styliadis did his report for the nursing home, to rectify some of the situations he outlined?

I have been going through his report and I have outlined in yellow the words "dirty," "not properly cleaned," "very dirty," "very soiled." They occur more often and more shockingly than should occur in any institution in this province. Where were the Ministry of Health inspectors? Why was this situation at this point 12 days after the first outbreak? Even four days later, when Dr. Styliadis went back on September 24, situations were still happening that he had outlined and taken note of in that report. That is simply unacceptable in a public health institution in this province in this day and age.

The minister says: "Maybe we do not need a public inquiry. Maybe we can do it through other channels."

I have a list of the public inquiries that have been conducted in this province from the beginning of time. There have been: an Ontario Commission on the Dehorning of Cattle, in 1892; a Royal Commission on Forestry Protection in Ontario, as early as 1897; a Royal Commission on the Question of Prices of School Books, Royalties, etc., in 1897; a Commission to Inquire into the Seizure of a Railway Car of Whiskey at Chatham, in 1920; a Commission on the Prices of Gasolines and Oils sold to the People of Ontario, in 1925; an Inquiry into Ownership of the North One-Half of Lot Number Seven, Ninth Concession, Township of Glenelg, County of Grey, in 1931; a Royal Commission re Purchase of Parts of Lot 23 in the Township of Niagara by the Niagara Parks Commission and the Subsequent Resale to Mr. A. A. Schmon and purchase by Mr. Charles Daley, in 1960; a Royal Commission to Investigate Allegations Relating to Coroners' Inquests, in 1967; and a Royal Commission Appointed to Inquire into the Use of Pesticides in the Death of Waterfowl on Toronto Island, 1969, with the cover title, *Did Pesticides Kill Ducks on Toronto Island?*

If we can have a royal commission to inquire why or whether pesticides killed ducks on Toronto Island, I submit in all seriousness that we need a royal commission to investigate the deaths of senior citizens, the elderly, in an Extendicare nursing home in Ontario.

We have had royal commissions on serious matters and, as I pointed out, perhaps not so crucial, but they cannot say we call public inquiries into only matters of great importance. I submit that if we could have a public inquiry into the deaths at the Hospital for Sick Children, it is necessary to have a public inquiry into this matter.

If the minister will give us an update of the investigations that are currently taking place and if he will give us a commitment that there will be an early inquest, we might be willing to take a look at a public inquiry subsequent to that, but it is very important that the trail not go cold. Nineteen people in this province have died. Some responsibility must be accepted and some responsibility must be demonstrated. We must find out how and why this tragedy occurred.

I submit that coroners' inquests, for all their value, have not been able, by and large, in this province to get to the bottom of those questions. I submit that, as a person who lives a thousand miles away from this place and a thousand miles away from London, I do not know why this has not captured the outrage, the curiosity and the

interest of the public of Ontario more widely than it has. I submit that, in the words of Linda at the end of *Death of a Salesman*, "Attention must be paid." These people deserve no less.

**Hon. Mr. Elston:** It has been very helpful for me as the Minister of Health to hear from the members who spoke in relation to some of the issues at hand here.

When I review the concerns that have been raised by a number of them, however, such as the leader of the third party (Mr. Rae), the member for Windsor-Riverside (Mr. D. S. Cooke), the member for Peterborough (Mr. Turner), the member for St. George (Ms. Fish), the member for Bellwoods (Mr. McClellan), the member for Ottawa Centre (Ms. Gigantes), the member for Algoma-Manitoulin (Mr. Lane), and the member for Scarborough-Ellesmere (Mr. Warner), they have refused to recognize the fact that this minister has done some things considerably differently from the way they were done before.

First and foremost, there has been the release of information at a very early stage. In fact, the report by Dr. Korn was released by me on the very day I received it in my office. That was done for a particular reason, because I felt it was necessary that there be a very open dissemination of information that this minister received with respect to this tragedy, and it is a tragedy.

Some people have said I have not moved quickly enough. Some people are assailing the way they rule that hygiene may have been abused. Many have indicated that this is not an ordinary or routine situation that has occurred. I would say that is right, and my response has been neither ordinary nor routine in terms of what has transpired in the last 10 or 15 years, as has been outlined by some of the members opposite. I have, in fact, moved very quickly to do several things to deal with the hygiene problems and to deal with some of the concerns about the co-ordination of the inspectors from the public health units and the Ministry of Health nursing homes branch.

I have done something else that is considerably different. We are authorizing the external review of the nursing homes branch, but at no time—will the member for York South (Mr. Rae) hold on?—has there been any indication that it will be a closed review and that there will be no time for the people who have some concerns about the manner in which the nursing homes branch operates.

**5:50 p.m.**

I am looking for a thorough analysis of the question of the inspectors, as raised in some of



the questions by members opposite. The member for St. George, for instance, was concerned about several snapshots, but I am looking at an analysis of our ministry to tell me if there are areas in which errors were committed. I am doing a very thorough analysis of the results of the public investigation which is now ongoing under the auspices of the coroner of this province.

I will be a very keen observer of the process and of the information laid at the feet of the coroner. Although one member indicated there were instructions during one coroner's inquest that certain pieces of material be given little effect or impact by the jurors, the people watching the proceedings will take note of all the information which is put on the public record.

I have been assailed recently by the people who operate the nursing home for putting forward the reports so the public would be able to analyse what had been found by the people who went there with the medical officer of health for Ontario. I made the reports public so the people of the province will understand that if there are transgressions of food-handling rules, or other areas in which people have charge of the care of the elderly of this province, they will be made public. If those people understand that this minister will not stand by while violations of guidelines and programs developed for the care of the elderly occur, we will have a much more responsive system.

I took those steps for particular reasons. I have a mandate and duty to ensure that the people in our system who are occupants of nursing homes, homes for special care, homes for the aged, hospitals and other facilities, understand full well that the guidelines which I have mandated to be sent out, will apply to all those in public institutions and will be guarded by this minister.

I appreciate the information given to us by several people about their dealings with inspectors. I can understand some of the concerns that have been expressed. I thank those who have expressed their confidence in my integrity and desire to get to the bottom of this. I find that reassuring.

In line with the desires of most of the speakers here today, I have taken steps which will go a long distance to alleviate some of the difficulties set out in the reports I have received and which are now public information. I have not dwelled on the past so much in the early stages of our investigation but look to the future to ensure that your concerns are addressed as my concerns were, so that people can have faith and confi-

dence in the food-handling abilities of our institutions.

With respect to some of the more general comments made, we have now a very thorough and ongoing analysis of the manner in which we provide care to senior citizens in Ontario. Those questions have been raised. The member for Ottawa South—

**Ms. Gigantes:** Ottawa Centre.

**Hon. Mr. Elston:** I am sorry, the member for Ottawa Centre—the member for Ottawa South (Mr. Bennett) I am sure would be very happy reading this Hansard and the comparison which would take place. The member for Ottawa Centre, and others, questioned the mode of delivery of care to our seniors.

The member for Mississauga South (Mrs. Marland) also questioned how what she called public nursing homes, which I presume would be homes for the aged, are operating. It turns out we have two types of private nursing homes, private for-profit and private not-for-profit homes.

We have the review of the member for London North (Mr. Van Horne) going on right now. Reports are being finalized and brought forward for study and scrutiny with respect to the reactions to be obtained from myself, the Minister of Community and Social Services (Mr. Sweeney) and others. We will be answering some of the questions raised around those. That has been a very public forum. Then there is the concern of the member for Bellwoods (Mr. McClellan) who spoke of not wanting to be a resident in a house of 170 bedrooms.

There are a number of things ongoing at present in a very open forum which will deal in general with those broader issues. The broader issues with respect to this problem are being addressed and have been addressed since we took office on June 26. This is one reason we can be assured this minister will go on and will go forward with the reforms I have already spoken about in other forums.

For instance, there is the question of looking at how the ownership of licences for nursing homes is determined. There is the calling for proposals from various sectors of Ontario about whether they be allotted to private for-profit or private not-for-profit operators and whether there should be a municipal involvement in nursing home bed allocations.

All these things have been looked after in terms of some policy guideline changes which I, as minister, have put in place. We are doing a lot of things to address the broader issues which

would have had these people standing on their feet and applauding, I am sure.

However, so far, I think these people have not been able to look at the broader operation of my time as the Minister of Health.

**Mr. McClellan:** The minister is missing the big picture.

**Hon. Mr. Elston:** The member has not taken a look at some of the indications I gave about the changing mode of operation of the nursing homes branch, the emphasis I have placed on the nursing homes branch and the quality-of-care items I have been addressing.

I am going to be doing that and I will continue to do that as we proceed to reform the system. The components of that system are the detailed review by the Minister without Portfolio (Mr. Van Horne); my changing policies with respect to the allocation of nursing home beds; my continuing monitoring of the way in which food is handled in facilities; the inspections that are carried out, and how we co-ordinate those inspections among the various inspecting

branches within the Ministry of Health. I will continue to safeguard the health and welfare of the citizens of this province through those efforts.

**Mr. Speaker:** The member's time has expired. There are still two minutes left.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Nixon:** Perhaps I might advise the House on the business for tomorrow, arrived at after consultation with the House leaders of the other two parties.

I would like to proceed with interim supply tomorrow afternoon, followed as soon as we can get to them by Bill 38 and Bill 27 standing in the name of the Minister of Municipal Affairs (Mr. Grandmaitre), and bills 1, 7, 8, 11 and 14 standing in the name of the Attorney General (Mr. Scott). Those can be carried on in the evening.

The House adjourned at 5:57 p.m.



## CONTENTS

**Monday, October 21, 1985**

### Statements by the ministry

Eakins, Hon. J. F., Minister of Tourism and Recreation:	
<b>Canada Games</b> .....	933
Grandmaître, Hon. B. C., Minister of Municipal Affairs:	
<b>Municipal elections</b> .....	934
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:	
<b>National Universities Week</b> .....	933

### Oral questions

Bradley, Hon. J. J., Minister of the Environment:	
<b>St. Clair River</b> , Mrs. Grier, Mr. D. S. Cooke, Mr. Brandt .....	942
Conway, Hon. S. G., Minister of Education:	
<b>Education funding</b> , Mr. Allen .....	943
Elston, Hon. M. J., Minister of Health:	
<b>Extendicare London Nursing Home</b> , Mr. Rae, Mr. Turner, Mr. D. S. Cooke .....	938
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services:	
<b>Autopsy procedures</b> , Mr. Reville .....	945
Kwinter, Hon. M., Minister of Consumer and Commercial Relations:	
<b>Sale of apartments</b> , Mr. McClellan, Mr. Runciman .....	940
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Credit rating</b> , Mr. Grossman .....	935
<b>Rental accommodation</b> , Mr. Timbrell, Mr. McClellan .....	937
<b>Disaster relief</b> , Mr. Rowe .....	941
<b>Agricultural funding</b> , Mr. Villeneuve, Mr. Stevenson .....	943
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology:	
<b>Government spending</b> , Mr. Sheppard .....	945
Riddell, Hon. J. K., Minister of Agriculture and Food:	
<b>Tobacco industry</b> , Mr. Andrewes .....	944

### Petitions

<b>Noise barriers</b> , Mr. D. R. Cooke, tabled .....	945
<b>Roman Catholic secondary schools</b> , Mr. Haggerty, Mr. Guindon, Mr. Eakins, tabled ....	946

### Motions

<b>Committee sittings</b> , Mr. Nixon, agreed to .....	946
<b>House sittings</b> , Mr. Nixon, agreed to .....	947

### First readings

<b>City of Toronto Act</b> , Bill Pr9, Mr. Shymko, agreed to .....	947
<b>Sault Ste. Marie Pied Piper Nursery Act</b> , Bill Pr8, Mr. Morin-Strom, agreed to .....	947

---

**Private member's motion**

<b>Motion to set aside ordinary business, Mr. D. S. Cooke, Mr. Turner, Mr. Nixon, agreed to</b>	947
<b>Extendicare London Nursing Home, Mr. Rae, Mr. Turner, Mr. Van Horne, Mr. D. S. Cooke, Ms. Fish, Ms. E. J. Smith, Mr. McClellan, Mr. Eves, Mr. Haggerty, Ms. Gigantes, Mr. Lane, Mr. Warner, Mrs. Marland, Mr. Foulds, Mr. Elston . . . . .</b>	949

**Other business**

<b>Member's comments, Mr. Speaker, Mr. Rae . . . . .</b>	933
<b>Visitor, Mr. Speaker . . . . .</b>	933
<b>Members' anniversaries, Mr. Harris, Mr. Nixon, Mr. Foulds . . . . .</b>	935
<b>Polls, Mr. Nixon . . . . .</b>	947
<b>Business of the House, Mr. Nixon . . . . .</b>	968
<b>Adjournment . . . . .</b>	968



**SPEAKERS IN THIS ISSUE**

Andrewes, P. W. (Lincoln PC)  
Ashe, G. L. (Durham West PC)  
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
Brandt, A. S. (Sarnia PC)  
Conway, Hon. S. G., Minister of Education (Renfrew North L)  
Cooke, D. R. (Kitchener L)  
Cooke, D. S. (Windsor-Riverside NDP)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
Eves, E. L. (Parry Sound PC)  
Fish, S. A. (St. George PC)  
Foulds, J. F. (Port Arthur NDP)  
Gigantes, E. (Ottawa Centre NDP)  
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
Grier, R. A. (Lakeshore NDP)  
Grossman, L. S. (St. Andrew-St. Patrick PC)  
Guindon, L. B. (Cornwall PC)  
Haggerty, R. (Erie L)  
Harris, M. D. (Nipissing PC)  
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)  
Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)  
Lane, J. G. (Algoma-Manitoulin PC)  
Marland, M. (Mississauga South PC)  
McClellan, R. A. (Bellwoods NDP)  
Miller, F. S. (Muskoka PC)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)  
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)  
Philip, E. T. (Etobicoke NDP)  
Rae, R. K. (York South NDP)  
Reville, D. (Riverdale NDP)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Rowe, W. E. (Simcoe Centre PC)  
Runciman, R. W. (Leeds PC)  
Sheppard, H. N. (Northumberland PC)  
Smith, E. J. (London South L)  
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)  
Stevenson, K. R. (Durham-York PC)  
Timbrell, D. R. (Don Mills PC)  
Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
Turner, J. M. (Peterborough PC)  
Van Home, Hon. R. G., Minister without Portfolio (London North L)  
Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)













No. 27

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Tuesday, October 22, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer


Clerk of the House: R. G. Lewis, QC



## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 22, 1985

The House met at 2 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### NORTHERN DEVELOPMENT FUND

**Hon. Mr. Fontaine:** As the Premier (Mr. Peterson) has stated many times, this government places special priority on northern Ontario. With its resource-dependent economy, scattered population, harsh climate and vast distances, that region faces special challenges. But the north also has unique opportunities to maximize the value to be gained from its resource wealth: in the first place, by strengthening and encouraging our resource-based industries, and in the second, by building a more diversified economy around those industries.

Le Nord de l'Ontario se doit de tirer parti au maximum de ses ressources naturelles, d'abord par un soutien renouvelé à ses industries traditionnelles, ensuite par une politique de diversification industrielle.

With forward-looking support from its provincial government, those opportunities can be seized. Some of this support must come in the form of money. We need to make available for purposes of northern development the amounts necessary to achieve the critical momentum of growth and diversification needed in the north.

I am announcing today the establishment of a special five-year, \$100-million northern development fund.

Il me fait plaisir de vous annoncer aujourd'hui la création d'un fonds de cinq ans de \$100 million.

These new moneys—and I emphasize that they are new—will be directed towards the general objective of fostering viable and enduring economic activity in the north. The fund will in no way replace or supplant the budget of the existing Ministry of Northern Affairs and Mines or that of any other ministry. As a first step we will renew the northern Ontario regional development program, which otherwise would have lapsed because of the lack of funding.

I may be the only cabinet minister from the north, but I am certainly not the only member of cabinet concerned about the north's develop-

ment. However, I have the important responsibility of ensuring that my colleagues are aware of the north's concerns. Therefore, the Premier has asked me to chair a special committee of ministers that will recommend the allocation of these funds. This committee will meet regularly to review the new ideas and initiatives for economic development in the north. I will be taking my colleagues to the north to allow them to gain a better understanding of those special regions and to give northerners an opportunity to make their views known at the highest level of government.

Pour superviser la distribution de ce nouveau fonds, le premier ministre m'a demandé de présider un comité spécial de ministres. Ce comité, qui aura de ses rencontres dans le Nord pour permettre à mes collègues de se familiariser avec notre situation, sera chargé aussi d'étudier toute nouvelle proposition de développement économique.

Improved access to government is a vital part of our northern agenda. Another approach we will be examining is the establishment of regional development councils in the north. These will serve to co-ordinate the economic development efforts of different organizations in the north and provide a more effective mechanism for growth opportunities at the regional and subregional levels. This is something we have only begun to discuss with the north's municipalities. I will have more to say on the subject in the coming months.

Finally, to symbolize the new direction this ministry is taking, I have requested, and the Premier has agreed, that we change our name to the Ministry of Northern Development and Mines. I expect to be sworn in within the next few weeks.

Le nouveau ministre sera dorénavant connu sous le nom de ministre du Développement du Nord et des Mines.

The change puts the accent on development, not just economic development but social development as well, because the two must go hand in hand.

In the weeks and months ahead, I will have other initiatives to announce. In the meantime, I hope my fellow northerners in the other parties

will support and encourage our genuine attempts to do things for northern Ontario. This is what we are here for, and this is what they are there for too.

**Mr. Gordon:** On a point of privilege, Mr. Speaker: Is the minister prepared to have the Toyota plant placed in the north, or is this just flim-flam we are hearing today?

**Mr. Speaker:** Order.

### FUTURES PROGRAM

**Hon. Mr. Sorbara:** Today I would like to outline a new youth program called Futures. The program, which goes into effect on November 4, has been designed to provide on-the-job training, work experience and educational upgrading for young people who face severe disadvantages in seeking and keeping a job.

Futures meets the commitment first made by our Premier (Mr. Peterson) as Leader of the Opposition two years ago and restated by him as Premier just 16 weeks ago in this Legislature. The Premier promised a program that "would guarantee hard-to-employ youth meaningful employment in return for individual efforts at educational upgrading."

The aim two years ago and the aim today are the same. We have designed a program to break the cycle of recurring unemployment by providing on-the-job experience and training for one year for young people committed to working towards grade 12 equivalency. Futures also meets the promise of our government to rationalize our programs so they are understandable and accessible to the public.

How can we best help them? Certainly the answer is not a patchwork of programs with differing names, benefits and eligibility rules. Those members who are familiar with the existing Youth Works and career action programs know that a young person could obtain a much higher rate of pay and much longer placement under the former than under the latter. I use the example to show just how important it has been to rationalize these programs for young people, for counsellors and for employers.

**2:10 p.m.**

At present, the unemployment rate among young people between 16 and 24 is more than 12 per cent; that is 124,000 young men and women across this province. Our conscience as a society will not tolerate the waste of the talents and lives represented in those numbers. Many of these young people face severe barriers to employment. They may lack educational qualifications,

they may lack life skills and, above all, they may lack work experience.

Our challenge, then, was to provide meaningful and accessible support for young people who are determined to break this vicious circle. We set out to consolidate six existing programs for young people into a single, simplified program, and we intentionally skewed the program to provide the greatest support to those young people facing the greatest barriers to permanent employment.

Futures is based on five key principles.

1. **Personal commitment:** Of all the aspects of this program, none pleases me more than our offer of the guarantee of one year's valuable work experience for those young people facing extreme barriers to employment who make a personal commitment towards secondary school graduation.

2. **Support tailored to needs:** Futures provides the most support to those facing the toughest employment barriers.

3. **Training:** Training plans will be incorporated as part of every job placement and the progress of every participant will be tracked.

4. **Simplicity:** A variety of delivery organizations will be involved, but Futures has consistent rules and common procedures. Within these common elements, Futures maintains the flexibility to focus on those groups in our society and those regions of the province most needing special attention.

5. **Consolidation:** The new program consolidates and replaces six programs in such a way that inconsistencies, gaps and duplications are eliminated without the loss of services currently being provided. Futures replaces Youth Works, Ontario Youth Corps, Youth Start, Youth Tourism, the Ontario career action program and residential centres.

Futures is not a program to entice young people away from our colleges and universities; rather, it has been designed to provide on-the-job training and to encourage educational upgrading among those who have left our school system before gaining the skills required to participate in today's work world.

The increasingly sophisticated nature of much employment in both the manufacturing and service sectors and the continuing competitive demands on the Ontario economy require a more literate, more numerate and technically skilled work force. To help young people, we will offer a range of services to meet their needs. This includes an initial interview and assessment process; life skills and employment preparation,



where appropriate; employment counselling; work experience; on-the-job training; monitoring and post-program follow-up.

The individual basic training plans will be set out by our delivery organizations; they are the 90 campuses of our colleges of applied arts and technology and 55 youth employment counselling centres. This network has worked effectively on our behalf in the past and is now taking on this new challenge with enthusiasm and commitment to our young citizens. The colleges and the counselling centres bring unique capacities to this program and now will be able to better serve their respective clients, ensuring equitable treatment for all. We intend to continue to urge and support the expansion of this network of delivery agencies.

The basic work experience program will provide counselling and up to 16 weeks of on-the-job training. Those participants who are prepared to undertake educational upgrading towards grade 12 equivalency will have access to the program for one full year. Futures participants will be paid the provincial minimum wage during job placements. Those young people who require pre-employment preparation will be provided with training in basic social and work skills. They will receive a weekly stipend of \$100 during that portion of the program.

I am pleased to say that the Ontario government is not alone in its support of work experience programs for young people. In addition to a great number of community-based initiatives tackling this enormous problem, the federal government also has a strong presence, and our continuing dialogue will ensure the harmonization of our initiatives.

The solution to youth unemployment must be viewed as a partnership. Through Futures, we are establishing a coherent framework of incentives and support to encourage positive action by employers and young people themselves.

The central focus of Futures will be the private sector—where the jobs are. It is with expanding private businesses that young people have the best chance of getting off subsidized employment and into productive careers. The program will also support opportunities created by provincial ministries and Ontario municipalities. Priority in all cases will be given to positions offering the strongest prospect of providing skills for, and access to, permanent employment.

This year we will spend \$133 million in providing support to 56,000 hard-to-employ young people across the province. The streamlining of provincial programs will, I am confident,

overcome the bewilderment and frustration the current maze has provoked. The work guarantee in return for a personal commitment will open the doors to steady employment and personal fulfilment for disadvantaged young people.

Through Futures, we are issuing a double challenge. We call on employers to come forward to create work-experience opportunities, and we urge young people to seize these opportunities to achieve a successful and productive transition from school to work.

## ORAL QUESTIONS

### SALE OF SUNCOR

**Mr. F. S. Miller:** I have a question for the Minister of Energy. My understanding is that he is the one and only shareholder in the Ontario Energy Corp. My question is based upon some comments he made as interjections yesterday. He said he would take \$1 for Suncor, which was somewhat less than his leader's \$160 million and somewhat less than the market value.

I wonder if he realizes yet how much he lacks an understanding of the way business works. The very fact that his party is now the government, not the opposition, has yet to sink in. He cannot go around saying, "We may want \$650 million for something, but it is worth only \$160 million" and expect to get a fair price. How does he expect to get a reasonable price for Suncor if he goes around depreciating its value in public?

**Hon. Mr. Kerrio:** I thank the honourable member for his question. The first thing that comes to mind is that the day after the former government bought the shares, they depreciated by half. That is the first mistake they made. Anyone who has to take—

**Mr. Brandt:** How does he know that? He does not know that.

**Hon. Mr. Kerrio:** Yes, I do. A study was made by a group of knowledgeable people that said the shares were worth \$25 to \$30 and they had been bought for \$50. That is one. Two, if we take this purchase through to its conclusion, we are not going to fool anyone who has any business acumen out there. If we take it to its conclusion, it is going to cost the taxpayers of this great province more than \$1 billion.

Of all the deals that were ever made in this House or outside the House, wherever this one was made, it has to rank with the worst deal ever made by any government in any province in this great country of Canada.

2:20 p.m.

**Mr. F. S. Miller:** By his very comments, the minister is proving exactly what I said. He is running down the value of an asset owned by the people of Ontario, yet he expects the business world to negotiate with him. Are other buyers being courted at this time? Is the minister negotiating with buyers other than Sun Oil?

**Hon. Mr. Kerrio:** That is a very good question. I would encourage the member to help me find buyers. If he has a buyer who is willing to pay \$400 million, as he has suggested all around the place here but he is not willing to name names, I would be very much willing to negotiate with them. If they are starting at \$400 million, I happen to have a little business experience, maybe I could get them up to a reasonable price. If the member will give me their names, I will add them to our list and I will be very pleased on behalf of the people of Ontario to maximize a very bad deal the previous government took part in.

**Mr. Foulds:** Even if the initial investment was not a particularly wise one, does the minister not understand that his comments drive down the prices of the shares for Suncor, drive down the return on the investment that he is able to get for the people of Ontario? Does he not think it is his job to protect the investment of the people of Ontario, not sell it out?

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Kerrio:** Nothing I have said has driven down the value of Suncor. The value of Suncor started going down from the day they sent \$200 million of hard-earned Canadian taxpayers' money down south in the form of a dividend, the first dividend that company ever declared. We did not drive down the price and I do not intend to drive down the price.

From day one, the thing that drove down the price was that the price paid was exceptionally beyond the value of the shares. The minute the shares were bought, we took a complete loss in a return to the Canadian people, to Ontarians particularly. Nothing we have said on this side has driven the value of Suncor shares down; Suncor has done that on its own.

**Mr. F. S. Miller:** With great respect, the street is agog and aghast at the comments the minister, his Premier (Mr. Peterson) and his Treasurer (Mr. Nixon) have made with regard to the way the business world works. The comments are immature; not even that, they would have to be naive. It is very much like the July 11 statement by the Treasurer when he tried to dump

on us for the state of the nation and had to take it back because he found his triple-A rating was at risk.

The members opposite are the government. Do they not think it is just playing political football at this point, running down the price, trying to look like a hero next month if they get more?

**Hon. Mr. Kerrio:** I say this with the greatest sincerity: this government is not attempting in any way to do anything other than protect the people of Ontario and the dollars that were put up on their behalf, and I think those people are willing to accept the facts as they unfolded. What I am saying is that government, without going into any depth or study, and the former Premier of the province decided to make that kind of an investment and it was a bad investment.

The only thing that has driven the price of it down is the fact that no one studied it. No one realized what the shares were worth when they were bought. When one buys 25 per cent of something, one has to end up being the loser. That is what has happened in this case. The member is not going to make it more valuable by getting up and trying to insult me, saying that I do not know what I am doing. I will tell the members opposite one thing: I did not buy Suncor; they did.

#### CAPITAL GAINS TAX

**Mr. McCague:** Has the Treasurer asked permission or does he intend to ask permission of Ottawa to impose a capital gains tax in Ontario?

**Hon. Mr. Nixon:** The honourable member is referring to an important subject, the tax agreement relating to the government of Canada and the province of Ontario. I attended a meeting of Treasurers and Finance ministers about a month ago. I released a statement at the time, which I also read to the gathering, indicating that I felt the decision to give a \$500,000 exemption on a lifetime basis was an incorrect initiative. I also indicated that at a time when the government of Canada was having problems with its deficit, was removing indexing from certain pensions and was removing the right for tax reduction to low-income people, it should not be giving such a bonanza to the high-income side of the tax base.

I still feel the same way. I indicated to the Minister of Finance and to the other Treasurers and Premiers that I hoped the government of Canada would reconsider it. Other provinces have given some additional consideration. The honourable minister is aware that under the tax agreement it is beyond my powers as Treasurer or



Minister of Revenue to impose capital gains tax for the province without the concurrence of the government of Canada.

I have a number of alternatives. I have already asked them to reconsider their position and to restrict the advantages of the present policy to small businesses and farmers. We could ask them for an amendment to the tax collection agreement, which would enable us to recoup some of that revenue.

I should point out to the minister that if the policy is maintained, it could mean a loss of about \$150 million a year to the Treasury of the province.

**Mr. McCague:** I am pleased the honourable Treasurer has referred to me as the minister; I am not the minister.

I am not sure from his answer whether he intends to impose a tax or whether he was strictly lecturing his federal counterparts. What course of action does the minister think he would follow if other provinces do not have a capital gains tax and some people look to invest in those provinces rather than in the great province of Ontario?

**Hon. Mr. Nixon:** I do not intend to lecture the member or the Minister of Finance for Canada, but I stated my views then as I state them now. I do not have the power under the tax collection agreement to impose such a tax here without the permission of the government of Canada. We could go our own way with our own income tax mechanism. Frankly, I do not favour that. I think Ontario should stay in the federal-provincial tax collection agreement; it makes lots of good sense, although Quebec has withdrawn and has had its own tax collection machinery.

As to the second part of the member's question, he makes the point that if we were the only ones who collected capital gains, then capital gains would be realized in other jurisdictions. There is every reason to believe that if the government of Canada gave the provinces the right to collect their own, Ontario would not be the only province so to proceed.

2:30 p.m.

**Mr. McCague:** As I understand it, it is just conjecture that if Ontario does it, other provinces would do it. In my initial question, I asked the minister if he had asked or was about to ask Ottawa for permission to levy a capital gains tax in Ontario. I do not believe he has answered that question.

**Hon. Mr. Nixon:** No, I have not asked and I may.

**Mr. Rae:** These prebudget stripteases are so enticing. I think we should have a special session tomorrow to get even closer to the reality on this.

Interjections.

**Mr. Rae:** My clothes are on.

#### FUTURES PROGRAM

**Mr. Rae:** I have a question for the Minister of Skills Development.

Lest the minister be accused of an adjective that I am sure he would not accept with any great joy—that is the adjective “Grossmanesque”—I would like to ask him a question with respect to the program he has announced today. He will be aware that last year the Treasurer at that time announced a program of \$450 million over three years. How much new money is now involved in this new program?

**Hon. Mr. Sorbara:** Not only would I not like to be referred to as Grossmanesque, but I would not like to be called Popish either, or Timbrellesque for that matter.

To answer the member's question, substantial new funds will be directed specifically towards this program. As I mentioned in my statement, the commitment for this fiscal year from April 1, 1985, to March 31, 1986, is \$133 million. That represents an incremental sum of some \$58 million over the amount that was spent by the previous government in the previous fiscal year.

**Mr. Rae:** No, we cannot have this. We cannot have announcements being made with respect to a new program unless the minister is prepared to come into this House and tell us precisely how much new money is involved. How much money is being put into this program that would not otherwise have been spent in the programs that were announced previously by the member for St. Andrew-St. Patrick (Mr. Grossman)?

We are entitled to an answer to that question. The minister cannot come into the House and tell us he is announcing a new program with “substantial” additions unless he is prepared to tell us how much is actually involved.

**Hon. Mr. Sorbara:** I have no hesitation in telling the member how much is involved. I just made a comparison to what had been spent last year.

If the programs that existed in the ministry when I took office had been continued, we anticipated that expenditures would have been in the neighbourhood of \$75 million. Over and above that, we anticipate that this new program involving a one-year guarantee of employment will cost us incrementally some \$48 million for

the balance for the fiscal year from November 4, when the program is put into place, until March 31, the end of the current fiscal year.

**Mr. Gillies:** In my supplementary, perhaps I can provide the answer the leader of the third party is looking for.

Interjections.

**Mr. Speaker:** Order. Do not provoke the member.

**Mr. Gillies:** Does the member want to hear the answer to his question? The six programs that the minister has cut to initiate his new program had a 1985-86 budget total of \$132 million. So in answer to the member's question, the amount is \$1 million.

My question to the minister is this: How is he demonstrating his much-touted additional commitment to the unemployed youth of this province merely by maintaining funding that was already in place under the old programs?

**Hon. Mr. Sorbara:** The last time the member asked me a question, he had his facts wrong and nothing has changed; nothing at all.

I point out that the allocations for the program have not been discontinued. They have been incorporated and expanded. The horizons on programs have been broadened, simplified and consolidated. The fact is that the incremental spending is what I responded with to the member for York South (Mr. Rae) and not the figures the member for Brantford (Mr. Gillies) presented.

**Mr. Gillies:** On a point of privilege, Mr. Speaker: The minister suggested in his answer that my facts were incorrect. I am going to send a calculator over to him.

**Mr. Speaker:** Order.

**Mr. Gillies:** Mr. Speaker, if I may—

Interjections.

**Mr. Speaker:** Order.

**Mr. Warner:** Mr. Speaker, I think you should throw him out again. There is no sense of decorum for this House.

Aside from quibbling over whether this is recycled money or new money, can the minister tell us how much of this money will be used to subsidize companies rather than employees?

**Hon. Mr. Sorbara:** The program has been specifically designed not to subsidize employers but to provide an on-the-job work-experience and training program for young people. An employer will not qualify to have young people in his shop unless he provides a training component.

There will be advantages to employers, but we have not designed the program as a make-work project to increase spending or to give employers a break. They have to provide a training program and we encourage them to do that, because without that kind of training the program will not be effective. Those were some of the deficiencies we identified in the pre-existing programs.

#### NORTHERN DEVELOPMENT FUND

**Mr. Wildman:** I have a question for the Minister of Northern Affairs and Mines. We in the New Democratic Party welcome his tentative move towards accepting our policy of establishing a northern Ontario fund for economic diversification. I would like to put a question with regard to the practical effects of that announcement.

The minister is aware that one of a total number of only six non-resource-related firms in all of northern Ontario, Lee Canada in North Bay, is closing down its operation on Friday. The closure of Lee, the second-largest private sector employer in that city, will put 240 employees, 95 per cent of whom are women, out of work with no alternative employment for those workers with their skills in that area.

Will the minister explain what he and his government are doing with his announcement today, particularly to protect those jobs and, to quote him, "to foster viable and enduring economic activity in northern communities like North Bay"?

**Hon. Mr. Fontaine:** My ministry has been working with the city of North Bay for the past month to try to find a solution to the question of Lee. Up to now, we have been unable to come to an agreement on price. This is a situation that is very bad. During the next few weeks we will try to meet with the new town council and the economic corporation to try to work out something for North Bay, as we are going to do with other towns affected by unemployment or closures.

**Mr. Martel:** I am delighted with the minister's conversion on the way to Damascus.

**Mr. Wildman:** Or to Queen's Park.

2:40 p.m.

**Mr. Martel:** Yes. They now have decided that the policies we tried to implement in 1977 are worth while.

With Inco tentatively announcing a layoff of some 1,200 people, with Falconbridge probably going to announce another 150, with an unemployment rate that is already 15 per cent and with



people to the tune of 15,000 already having left the Sudbury area, can the minister tell me how this policy is going to be used to assist Sudbury?

For example, would the policy look at leaning on the responsible minister for money to establish a prison—it is already there—in the Sudbury area? Would it look at the possibility of a new smelter in Sudbury to process all the nickel and all the precious metals in Ontario?

**Mr. Speaker:** The minister.

**Mr. Martel:** This is an important question, Mr. Speaker. Finally, would the minister look at the possibility of using phosphates from his own riding and sulphur dioxide from Inco in the form of sulphuric acid to make fertilizer in northern Ontario?

**Hon. Mr. Fontaine:** Before making any recommendations to the Premier (Mr. Peterson) on policy for the Sudbury situation, I have begun a broad consultation with the groups involved. I am meeting with the companies. I met with some MPPs. Yesterday I met with representatives of the region of Sudbury. This week I will meet with the union. That is part of my consultation. Next week I will try to meet with MPPs again. I met with the New Democratic Party, so now I will try to meet with the Conservatives to try to come to an understanding of which way to go.

I welcome suggestions from all members of this House. I intend to meet with appropriate local MPs and cabinet colleagues to incorporate their ideas. With the help of the Sudbury Regional Development Corp., we will try to face the Sudbury situation with vigour.

With regard to fertilizer, there is a meeting in Kapuskasing on Friday involving all the industrial minerals. I am sure some good ideas will come from that. In so far as the Sudbury situation is concerned, we will try to put everything together by next week to try to do something.

**Mr. Harris:** What we heard today from the minister was a commitment for five years by a government with a mandate for two years that intends to call an election in one year, but has not yet kept a single election promise. If it is reduced to the one year, they are talking about \$20 million a year. Why has the minister waited four months?

The minister calls it new money. The northern Ontario regional development program, Nordev, initially was \$10 million. In the throne speech we called for an additional \$10 million to have successful programs; that is \$20 million a year. There is not a single cent of new money in this program. The only new idea the minister has is to go back to the government's successful Nordev program. Why did he wait four months, bring

development to a halt in northern Ontario for four months and, in effect, set the north back for a full year?

**Hon. Mr. Fontaine:** First, I would like to say that they are there and we are here. Second, I do not have to take anything from the opposition. I will run this ministry as I see fit. If the member does not like the name Nordev, I can call it Fontaine's fund.

I made an announcement a week ago or a few days ago that Nordev would exist. Perhaps I will change the name. I changed the name of the ministry, so perhaps I will change that name and call it something else to stop them talking about it. I admit this is a good program, but there will be other programs that will be implemented that will be as good as this program. I say, "Wait for a few weeks or months and see our action." I have not had 42 years; I have had only a few months. After a couple of years maybe they will say, "Fontaine was not that bad."

**Mr. Wildman:** In the light of his statement today and the comments he made in North Bay, quoted in the *Nugget* on August 14, in which he called for an economic strategy to help avert plant closures in the future and said that if Lee Canada executives had approached him he could have helped out, can the minister fill out his statement today by explaining to us the source of the new moneys involved in this program and how he is going to ensure this is an ongoing fund and not a one-shot deal over five years? What exactly is this government's economic strategy for job creation through economic diversification in northern Ontario?

**Hon. Mr. Fontaine:** First, in answer to this question, I will go back and consult with the people in the north. It will not be my decision; we are going to form some economic regions. I am going to consult with the municipalities, the chamber of commerce, labour and other businessmen who are not involved in those associations, and in the next few months we are going to have this in place. That will really dictate which way we are going to go. We will try to have a vision. We are going to try not to go and put a bandage over it every time something closes. We will have to prevent that from now on.

With the members' help, with the help of the people in the north and that of other people, we are going to do it. I am going to try to have a program that is going to be decided together with the people in the north.

**Mr. Gordon:** Is the minister not aware that what we are listening to today in this House is some pretty hypocritical bafflegab.

**Mr. Speaker:** Which minister?

**Mr. Gordon:** The Minister of Northern Affairs and Mines.

The minister told the people in Sault Ste. Marie this summer that it was very important to get a plant such as a Toyota plant in northern Ontario. If he is really interested in northern development, is he prepared to say in this House today that he is going to sit down with his cabinet colleagues and put manufacturing in the north, or is this just, as he said, consulting with the unions, consulting with the regional chairmen?

People need jobs in the north. We are tired of welfare. What is the minister going to do about it?

**Hon. Mr. Fontaine:** If this question were asked by me after only two or three months over here, I would say it is okay. But when a government that was there for 42 years asks a question like that, to me that is obscene. There was no Toyota plant in this province for 42 years; there was never a direction in the north towards those kinds of things, we are going to try from now on to have a direction and to try to bring in those industries. Maybe we will not do it tomorrow, but we have to do it in the near future, and I have already told my colleagues that.

Those people across there did nothing, and now they come and talk for nothing.

**Mr. Bernier:** I have listened to a bunch of gobbledegook. I still do not know what the minister is trying to say and what he is doing in his statement, but I want to ask him a question. I notice he is setting up some regional economic development councils. Will he tell the people of northern Ontario that he is dismantling the Municipal Advisory Committee, that he is dismantling Commerce Northwest and setting up some new structures that will mean nothing? Tell the people of northern Ontario that.

**Hon. Mr. Fontaine:** I would like to know what the member is talking about in referring to those associations. I never said I would disband Commerce Northwest or Commerce Northeast. I said MAC would be incorporated in those new councils and that there will be more than eight. If I increased that to 10 there would be about 20 mayors instead of 16. I do not believe it is only the mayor who should dictate the growth of the north or the new vision of the north. We should ask the farmers, the small guy and the union where the north should go.

2:50 p.m.

**Mr. Morin-Strom:** I find it hard to believe the Conservatives can be asking questions about secondary industry in northern Ontario.

Beyond consultation, what are the minister's intentions concerning the secondary industry we need to develop in northern Ontario to balance the ups and downs of the resource sector to which we are so subject? Does the minister recognize that deindustrialization of the north is going on, and what is he going to do about it in specifics?

**Hon. Mr. Fontaine:** First, I think we will have to have a completely new study of the north to attract the industry that is going to be viable and that will service what is going on today. We should look at tourism not only as a day-to-day affair. I think we should go after some attraction that will bring tourism to the north not only for a summer or a winter but year-round.

So we will be looking. With the municipalities, with the chamber of commerce and with the members we will have to build together a new program for the north. That is why I say I am open to suggestions, and it is not by—

**Mr. Bernier:** Who is making policy?

**L'hon. M. Fontaine:** Attends un peu, toi, là. Énerve-toi pas.

**Mr. Gordon:** The minister should let us know when he knows what it is.

**Mr. Speaker:** Order. Has the minister completed his answer?

**Hon. Mr. Fontaine:** It is not by delaying things that we are going to do that; it is by working in the communities. Together I think we should try to have a redprint for the next 20 years. The blueprint is gone; it will be a redprint from now on.

## RENT REVIEW

**Mr. McClellan:** I have a question for the Minister of Housing, and I want to say how thrilled I am to see that he is still in the cabinet. I want to ask a question about his position on rent controls, since he said one thing in the House and, apparently, when he went out into the scrum, he said—and I am quoting from last Saturday's Toronto Star—that he is prepared to lift rent controls if vacancy rates reach a "comfortable level."

I want to ask the minister, and I hope he will give the House a clear answer, is it his position that rent controls should be or could be removed when apartment vacancy rates reach some magic level, three per cent or whatever it is? Is it his position that rent controls should be removed when vacancy rates reach a comfortable level?

**Hon. Mr. Curling:** I thank the member for Bellwoods. I am glad he missed me. His concern for me is very much appreciated.



I am here to state and also to confirm that rent review will remain a continuing policy of this government. As I stated, the government will continue to examine features of the rent review system and will continue to do so to ensure we have a system that works well for both landlords and tenants.

**Mr. McClellan:** What did the minister mean when he said outside the House that he was prepared to remove rent controls if vacancy rates reached a comfortable level? Does he mean what he is saying in the House or does he mean what he is saying outside the House? Is he prepared to remove rent controls if vacancy rates reach some kind of comfortable level, some magic figure of three per cent, two per cent or whatever it is?

**Hon. Mr. Curling:** Whatever magic figure is being quoted outside by others can be used at any time. I know the member himself does not take the newspaper and press reports as the facts of what I said. I tell him again that rent review is a committed program under our government and will remain so. Whether we want to speculate about these magic figures is something else that other people will say. We will always review the fundamentals of rent review today and tomorrow and not speculate about any magic figure.

**Ms. Fish:** I do not think there is undue speculation here; nor do I think there is someone else who is making a reference. I think what we are seeing is a real hidden agenda that was exposed with a slip of the tongue in a scrum outside this House. That is what we are dealing with.

We are dealing with a minister who is finally showing where he truly stands because he is the one who raised the spectre of removing rent controls based on vacancy rates. No one else did; he did. He was repudiated by the Premier (Mr. Peterson).

**Mr. Speaker:** Question.

**Ms. Fish:** Will the minister please answer the original question? Will the minister confirm that under no circumstances of cost or vacancy rate will rent review be removed?

Interjections.

**Mr. Speaker:** Order. I will have to get Bill Barker in here.

**Hon. Mr. Curling:** I am surprised the honourable member would ask such a question, given the sorry record her party left behind. This government did not create this terrible shortage of affordable homes that we see today. Yet the member asks me to give a commitment on lifting these rent controls.

We are working hard in the early mornings to come up with a housing policy that will bring affordable rental units into this province, so everyone can live very comfortably.

**Ms. Fish:** Then the minister will not confirm that he will keep rent controls.

#### FUTURES PROGRAM

**Mr. Gillies:** My question is for the Minister of Skills Development. Lest the minister think I am being unduly mean, I would like to compliment him on pursuing the objective I set in the ministry of rationalization of the programs. I happen to think there is some good stuff in his program.

My question is about funding and about the magnitude of the minister's commitment. In his reply to the question asked by the leader of the third party, the minister said there was more than \$50 million in new money.

The programs he is replacing had 1985-86 budgets as follows: the Ontario career action program, \$24 million; Youth Works, \$53.7 million; Ontario Youth Corps, \$28.2 million; and the Youth Start resource centres, \$26 million.

**Mr. Speaker:** Question.

**Mr. Gillies:** I have sent the minister a calculator. Will he please tally up that row of figures and tell me if he gets \$131.9 million?

**Hon. Mr. Sorbara:** He did send me over the calculator, but I tried it and it does not work.

Interjections.

**Mr. Speaker:** Order. I believe the question was, "Would you try the calculator?" You did and it would not work. Therefore, I do not think there is any answer. Go ahead.

**Hon. Mr. Sorbara:** I would like to reflect on the numbers the member provided. Those may have been budgetary figures, but they were never contained in estimates. They go back to the commitment of the member for St. Andrew-St. Patrick (Mr. Grossman) to a three-year, \$450-million program. Those figures were never contained in estimates.

The real comparison must be between what was spent in the previous fiscal year and what will be spent in this fiscal year. I will explain why. The reason is simple. The real effect of the Futures program, with the one-year guarantee, will not be felt in this fiscal year because we have only a few months to run. The real effect of the guarantee will be felt in 1986-87 when those young people are allowed to continue in the program and have the educational upgrading.

**3 p.m.**

A young person coming into OCAP would have come in about now. It would cost the same to keep him in the Futures program as it would for the period he would have been in OCAP. With OCAP, he has to leave at the end of 26 weeks. With this program, he is allowed to stay for a full year.

The real effect, the real incremental spending, will have to be in the next year.

I do not want to play a numbers game with the former minister. It is a foolish game to get into. The fact is that the commitment is a substantially new commitment to try to deal with a very difficult problem, and that is the hard-to-employ in this province.

**Mr. Gillies:** I would say to the minister if he wants the calculator to work, he should turn it on; and I do want it back, please. I am still a Tory. I want it back.

The point is that the minister has today announced a program budgeted at \$133 million. He is replacing programs that were budgeted. The source of my figures is the very same briefing book to which he referred. I was in that ministry and budgeted \$132 million. Why is the government not prepared to make the kind of additional commitment in the magnitude of \$100 million of additional money that our government offered in our spring throne speech? Why is he merely announcing today a program continuing existing funding?

**Hon. Mr. Sorbara:** We could play the numbers game here all afternoon. The fact is that the full effect of this program and the additional costs this government has committed will not be felt in 1985-86; it will be felt in the future years. If the former minister wants the full incremental value of the programs, he can wait a couple of days and he will hear more about it from the Treasurer (Mr. Nixon).

We have mounted a program consistent with our commitment to guarantee young people one year of employment, we have done that. If he wants to throw figures back and forth he is perfectly welcome to do it, but the point is lost.

**Mr. Lupusella:** Considering the real number of chronically unemployed people in Ontario in May 1985 reached the magic figure of 568,000, and considering we have a great number of people who could not find a job as a result of the economic recession that took place in 1981 and never went back to work, is the minister prepared to announce new programs to help these kinds of people and the remaining people who have been unemployed for so many years?

**Hon. Mr. Sorbara:** I do not disagree with the honourable member's assessment of the problem. Certainly we do have an unemployment problem in this province that goes beyond what the Futures program I announced today is designed to deal with. This is a program that is specifically directed at hard-to-employ young people between the ages of 16 and 24. It is not the be-all and end-all, even for that group, because the problem is so enormous.

The client group the member is talking about, particularly the 25- to 44-year-old who has been in the labour market for a long time and then has lost his job, has a problem. The Ministry of Skills Development is looking at that and examining it. We want to find creative new ways to incorporate training for that client group so we can be of assistance. It is not in Futures, I acknowledge that, but this is not the last program this government is going to announce with respect to employment in this province.

**DAY CARE**

**Mr. R. F. Johnston:** I have a question for the Minister of Government Services regarding the proposed Queen's Park Child Care Centre. In March, her leader, speaking in the Lakehead to the Lakehead Women's Commission, promised that child care "will be accessible, affordable and available to all who require it."

Lately, both the minister and the Premier (Mr. Peterson) have been talking about the work-place day care centre here as a positive example of what can be done in the private sector. What steps is the minister going to take to make sure this centre is accessible and affordable and not just available to members of the Legislature and deputy ministers who can afford the full-fare rates?

**Hon. Ms. Caplan:** Let me clarify for everyone the model of the Queen's Park Child Care Centre that was approved by cabinet. The Ministry of Government Services has provided space on the main floor of the Macdonald Block for a nonprofit, co-operative day care centre, which will be run by the parent users of the centre. This is to encourage other employers to follow our example to provide work-place day care. The model was suggested by the women's directorate. The provision by this government will be the space and the utility of the centre.

The independent parent board, which has been brought together on an interim basis until the centre is up and running on January 1, will have the opportunity to design the program, hire the staff and make the decisions for the users of the



centre, the parents of the children who will be there. They will have the opportunity to apply to Metropolitan Toronto for provincial day care subsidies. They will set the rates for the centre and make the decisions for the day care centre at Queen's Park.

**Mr. R. F. Johnston:** The minister has failed to add that a commitment has already been made to unionized rates comparable to those in the rest of Metropolitan Toronto. To be able to maintain the salary level for the staff, the rates will be at the top end of the scale. This means a number of the secretaries and clerks of this government will not be able to afford the rates of that centre, but they will not be eligible for subsidization.

Is the minister willing to look at a direct grant to that centre, as the city of Toronto has done for its centre, to make sure the fees can be lowered for those people at the lower-income levels who are not eligible for subsidy in government offices?

**Hon. Ms. Caplan:** The rates have yet to be established. The parent members of that independent board will be setting them in the near future. I will be willing to discuss their needs and concerns with them. I am not a member of that board. There is a member who is a liaison from the Ministry of Government Services to ensure that the centre is up and running by January 1.

In response to the question, an advertisement was placed in *Topical* in August requesting volunteers to serve on this parent board, and 18 applications were received from people to participate. The board was selected on an interim basis until it is up and running on January 1. All the issues dealing with the hiring of staff and programming will be dealt with by that board. As a very interested partner, since we are providing the space for them, we will be available to discuss their needs with them.

Let me say very clearly—

**Mr. Speaker:** New question.

**Hon. Ms. Caplan:** —that this is the model proposed by the women's directorate to encourage other employers to provide work-place day care. It was not the government's intention to run a government-subsidized—

**Mr. Speaker:** Order.

#### GROUP HOME SECURITY

**Mr. Eves:** My question is to the Minister of Community and Social Services. Undoubtedly, the minister now has had an opportunity to investigate and review the case reported last week in the media of a 13-year-old girl who was

abducted twice from the same group home in the Peterborough area and used in a juvenile prostitution ring. Can the minister tell the House exactly how this was allowed to occur?

**Hon. Mr. Sweeney:** The honourable member's reference is to a young girl who was picked up in Toronto by the police and returned to the home. In one of the two cases, the young lady, rather than being abducted, was a runaway from the home.

I am sure the member will recognize there is no way we are putting locks on the doors of group homes and that people do run away. It has happened before and it will happen again. Working in co-operation with the police, my ministry will pick up these young people and return them to the homes, but we have no intention of putting locks and chains on them.

3:10 p.m.

**Mr. Eves:** With respect, the facts of the case, as reported on two different days in the newspapers, indicate that although there were some cases of young people running away, one particular girl was abducted—she did not run away—from the same group home. That is the question I am asking the minister. Is he telling the House today that a full week has gone by without any action whatsoever to ensure that young people in group homes are safe from abduction, not running away?

**Hon. Mr. Sweeney:** The area office in that region has been in touch with that group home and has reviewed the procedures it is using, and if changes are necessary they will be made. I have to reiterate that in the case the member refers to me we are talking of a runaway.

#### MUSEUM LABOUR DISPUTE

**Mr. Grande:** My question is for the Minister of Citizenship and Culture. It is in regard to the labour dispute at the Royal Ontario Museum which started on September 26. The minister has not taken any steps to ensure that a just settlement occurs.

Given the fact that Eddie Goodman, the chairman of the board of trustees, has admitted publicly there are inequities in the salaries of ROM employees; given the fact the museum management has said it cannot resolve these inequities because it feels bound by the three per cent wage guideline, which was put into effect by the Tory government and which it appears this government is maintaining that guideline; given the fact—

**Mr. Speaker:** Given those facts will you ask the question, please?

**Mr. Grande:** Yes. The present Premier (Mr. Peterson) has no confidence in that board. He calls it an archaic structure, a repository for political hacks and irresponsible. How can the minister remain standing on the sidelines when the first-class reputation of the Royal Ontario Museum is at risk because of the actions of its board?

**Hon. Ms. Munro:** The Royal Ontario Museum is an arm's-length agency, as the honourable member knows, and I am confident the board of trustees and management are taking up any disparity in wages with the union. In terms of the negotiations currently under way, I am confident the collective bargaining process will be followed. That is where the matter rests with me at the moment.

**Mr. Grande:** Is the minister telling us she is willing for employees of the Royal Ontario Museum to stay out on the sidewalk for another month? Is she aware, for example, that the Toronto Free Theatre has rented the planetarium to put on its production of *Thunder*, *Perfect Mind* and is going to be losing \$105,000 in revenue if the production does not go on?

**Mr. Speaker:** Are you aware, Minister?

**Mr. Grande:** I am told that if the Toronto Free Theatre does not have the planetarium by this Friday the production is going to be delayed.

Given the state of emergency, is the minister not willing to commit herself to asking the union local and museum management to come to her office and do everything in their power—

**Mr. Speaker:** Order.

**Mr. Grande:** The question is not finished.

**Mr. Speaker:** Order. I think you have spent ample time.

**Hon. Ms. Munro:** I am meeting with the union local in a couple of minutes.

#### MINISTER'S RESPONSIBILITIES

**Mr. Leluk:** My question is to the Minister without Portfolio responsible for Citizenship and Culture. As the Minister without Portfolio, what are the responsibilities assigned to him by the Premier (Mr. Peterson)?

**Hon. Mr. Ruprecht:** The former minister will note that starting next week I will be going throughout Ontario meeting with a number of people, especially in the multicultural community, to determine whether there is really a fit between the services that are being provided by the ministry and the facts as they are out in the field. I know the former minister would have

liked to have done that and probably did not have enough time to do it.

Second, as the member is aware, the Premier has also asked me to take responsibility in the area of the disabled. Those are my two responsibilities.

**Mr. Leluk:** In the June 27, 1985, issue of the *Hamilton Spectator*, the Minister of Citizenship and Culture (Ms. Munro), the other minister, said that since her ministry does not have a parliamentary assistant, the member for Parkdale (Mr. Ruprecht) would perform that function. She went on to say, and I quote, "I think he has had some good ideas along with the bad and I think he will be fine."

Is the minister a minister of the crown or a parliamentary assistant? How do the duties assigned to him by the Premier conflict with his duties as parliamentary assistant assigned to him by the Minister of Citizenship and Culture?

**Hon. Mr. Ruprecht:** The former minister will no doubt realize there are many people to meet and many things to do in that ministry. Had he taken the opportunity and the time to work this out, we would not have so much work today.

I have not seen the specific report, but I can indicate to every member today there is absolutely no reason to believe I am a parliamentary assistant. Further, there is absolutely no reason to believe there is any problem within this ministry between the two ministers.

**Mr. Rae:** I wonder if the minister can explain why the Ministry of Citizenship and Culture, admittedly a ministry of great importance but one that has a far smaller budget than almost any other ministry in the government, has two ministers, whereas all the other ministries have only one. Can he explain that?

**Hon. Mr. Ruprecht:** I appreciate the question from the leader of the third party

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Ruprecht:** Across Ontario there is a real need within the multicultural community to determine exactly the mandate of this ministry and how it reflects in that community. The mandate was previously determined by the former government. At this time we would like to see precisely whether this mandate serves the ethnocultural community across Ontario.

In terms of specific budgetary items, I do not think it should be divided that way. It was the determination of the Premier to decide just where this work had to be done. Since it is a lot of work, he decided I would be the best person to do it in



that ministry in addition to my other responsibilities.

### PETITIONS

**Mr. Speaker:** The time for oral questions has expired and the next item is petitions. Before I recognize any member, I would like to refer all members to standing order 29(b):

"A member may present a petition from his place in the House during the routine proceedings under the proceeding 'Petitions.' He shall endorse his name thereon and confine himself to a statement of the petitioners, the number of signatures and the material allegations."

I have noticed over the last number of days that there have been quite lengthy petitions, and I do not feel it is necessary to read all the "whereas" clauses. I think the first paragraph and the "therefore" would be sufficient.

3:20 p.m.

### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. J. M. Johnson:** I have several petitions addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. The petitions basically state:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement without delay the policy on the funding of the completion of the separate school system in order that it can be applied on September 1, 1985.

"We further petition that this Legislature protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

**Mr. D. R. Cooke:** I have a petition signed by 731 residents of the good riding of Perth. It endorses Bill 30, asking that it be applied retroactively, and asking that the legislation protect the historic rights of Roman Catholics to maintain the special character of separate schools. It was organized by the Kilroy Council of the Knights of Columbus in Stratford.

**Mr. Taylor:** I have a petition of a similar nature addressed to the Lieutenant Governor and the Legislative Assembly to implement the policy on the funding of the completion of our separate school system. It is signed by Mr. Paul Spooner, Grand Knight of St. Patrick's Council, Knights of Columbus, and 18 others.

**Mr. Reyecraft:** I have a petition signed by some 160 residents of the city of Ottawa addressed to the Honourable the Lieutenant

Governor and the Legislative Assembly of Ontario. Dispensing with the "whereas" clauses, as you have requested, it reads:

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985."

**Mr. McNeil:** I have a petition containing 400 signatures on behalf of Council 1467, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement without delay the policy on the funding of the completion of the separate school system in order that it can be applied on September 1, 1985."

### MOTION

#### COMMITTEE SUBSTITUTIONS

Hon. Mr. Nixon moved that the following substitutions be made: on the standing committee on administration of justice, Mr. McFadden for Mr. Gregory; on the standing committee on public accounts, Mr. Ashe for Mr. Harris.

Motion agreed to.

### INTRODUCTION OF BILL

#### REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AMENDMENT ACT

Mr. Allen moved, seconded by Mr. MacKenzie, first reading of Bill 39, An Act to amend the Regional Municipality of Hamilton-Wentworth Act.

Motion agreed to.

**Mr. Allen:** The purpose of this bill is to provide for the election of the regional chairman by a general vote rather than by the members of the regional council. It also undertakes to give the regional council rather than the cabinet the right to appoint a majority of the members of the Hamilton-Wentworth Police Commission.

### POLLS

**Hon. Mr. Nixon:** Pursuant to government policy, I want to table another poll that has come to my attention. Copies of this poll have been put in the library and given to the leaders of the opposition parties. Members can read it at their leisure. It looks like a hot one.

**ORDERS OF THE DAY****INTERIM SUPPLY**

(continued)

Resuming the adjourned debate on the motion for interim supply for the period commencing November 1, 1985, and ending December 31, 1985.

**Mr. Wildman:** When I was speaking in this debate on Friday I was dealing with the urgent need for the implementation of the report of the Royal Commission on the Northern Environment. I dealt with the questions of participation of Indian people and the need for a really independent forestry audit so we can deal with the urgent requirement for regeneration to deal with the economy, particularly related to forestry, in northern Ontario.

I indicated I had some very serious questions about the report by Mr. Fahlgren. One is that it seems particularly weak in dealing with the mining sector and with tourism. While it is strong in its recommendations with regard to forestry, the criticism of the Ministry of Natural Resources and the record of the previous government in that area, it does not really offer very much with regard to mining and tourism. Frankly, it is a complete failure in regard to economic development and diversification of one-industry, resource-based towns in northern Ontario.

We believe the government must take concerted action to bring about the kind of economic diversification which would end the boom-bust cycle the economy of northern Ontario has had to endure ever since the earliest developments in northern Ontario.

Yesterday, I introduced a resolution in the Legislature calling for the establishment of a mining reserve fund, along the lines of the Manitoba government's mining reserve fund, to be part of the northern Ontario tomorrow fund the New Democrats have advocated for years. The history of mining in particular, but resource industries in general, in northern Ontario has been one of boom and bust.

The residents of communities and municipalities in northern Ontario suffer extraordinary dislocations and financial hardships when there are shutdowns related either to market conditions or to the depletion of the resources. The Manitoba government has attempted to respond to this situation in the northern part of that province by establishing a reserve fund the provincial government can use to provide financial assistance for adjustments required to

alleviate such dislocations and hardships that result from shutdown.

All of us in the north have recognized that the history of development in our area of the province has been one of boom and bust. This is largely related to the lack of government planning over 42 years of Conservative rule, with the result that the hopes and dreams of too many Hemlos have been dashed after 20 or so years by the harsh realities of the Atikokans of our region. Residents of northern municipalities who have dedicated their working lives to the development of their communities suffer extraordinary dislocations and hardships when once-thriving mining operations are shut down because of poor markets or resource depletion.

During last spring's election campaign, the Liberals claimed they recognized the need to stabilize the north's boom-bust existence based on primary resource extraction. They singled out the need for government policies to deal with the economic vulnerability of one-industry towns since most areas of the north are subject to the wild fluctuations of national and international markets.

To deal with these problems, in the spring the Liberals promised northern voters they would ensure that a larger share of the profits and products of the north's primary industries would be reinvested there to create jobs. They said they would stabilize financing for northern municipalities faced with increased expenditures for services, either in boom or bust situations.

**3:30 p.m.**

The resolution I proposed yesterday was one approach to obtaining adequate revenue from resource extraction to provide for reinvestment to generate employment and stabilize municipal finance in northern Ontario. It is one the current Liberal government, if it is serious about its campaign pledges, could implement.

The announcement today by the Minister of Northern Affairs and Mines (Mr. Fontaine) of a northern Ontario development fund of \$100 million over five years does take one small, tentative step in that direction. Unfortunately, it does not go as far as we believe is necessary, and we have said that over the last many years, particularly during the last three provincial elections.

It is not clear from the minister's statement what the source of the new money will be, or for that matter how much of the \$20 million for this year is new money. The minister indicates it is all new money.



I hope he can also indicate this is not going to be, in his view, a one-shot, five-year program, but rather an ongoing program that has as its source of financing the revenues to the provincial Treasury of resource extraction from northern Ontario. I hope we can reserve a fund, as has been done in Manitoba. I am afraid, though, from the minister's statement today that is not what he is proposing.

Also missing in the minister's statement today is any indication of an industrial strategy, an economic strategy to deal with the problems we have raised in the Legislature this afternoon. I applaud the minister's concern and his sincere attempt to consult with northerners about the needs of their communities, but something more than consultation is needed. The government's responsibility is to come into the communities across northern Ontario and indicate the directions in which it thinks it should be moving to stimulate both public and private investment in northern Ontario.

On Friday we will see the closure of one of the very few non-resource-related manufacturers in northern Ontario. More than 200 people will be put out of work but there is no indication from this government or from the announcement today of what the government is going to do to deal with the deindustrialization of northern Ontario.

In the past, we northerners have talked in this House, sometime ad nauseam, about the need for secondary manufacturing and industrialization in northern Ontario. We are now at the point of talking about a situation that is far more serious than stimulating new development. We are talking about the need for the government to protect the small amount of secondary manufacturing development that already exists in the north, because these plants are closing. The ones that are not closing are cutting their work forces so much that we are seeing very little employment in the north and very few employment opportunities for our young people.

I know the Minister of Northern Affairs and Mines is concerned about that, so I hope that, while he was unable to make the announcement today about an industrial strategy, a strategy for diversification of the economy of northern Ontario communities, he will be coming into this House soon with a proposal for a strategy for development in the north.

We have had enough of the ad hoc approach of the Tories in northern Ontario. We have had enough of grants being handed out to react to the situation in Atikokan, for instance, when we had 25 years before that situation developed to do

something to plan for economic development in a community like Atikokan.

We have to move in a concerted fashion to bring about meaningful economic development and meaningful secondary manufacturing in northern Ontario. To throw money at a community after the barn door is closed is not the answer. We have to move in a concerted way so that we know the expenditures we are making as a government in northern Ontario will have the effect we want them to have, which is economic development and jobs across the north. We do not want to continue this roller-coaster cycle we have been on ever since northern Ontario first opened up.

This statement today does not go far enough. It is a first step, but we need more from this government.

I want to close by pointing out that the minister has indicated interest in certain developments such as the thermal mechanical pulp plants that have been proposed for communities in northern Ontario. He has indicated interest and has travelled with a tremendous amount of energy across northern Ontario, visiting almost all the communities in the north to listen to concerns. He has consulted; now is the time for action. When are we going to get a TMP plant in the Wawa-Dubreuilville area, Timmins, Hearst or wherever? When will we hear those kinds of announcements for northern Ontario? How are those kinds of announcements going to be tied to an overall strategy?

I want to add one thing. I am particularly concerned about the current protectionism in the United States and how it will affect the lumber industry in northern Ontario. We have a situation where a couple of the many protectionist bills now before the US Congress will probably pass and could even override a presidential veto. It would mean a tremendous loss of jobs and would have a devastating effect on lumber communities across northern Ontario.

I do not think the answer is to jump on the free trade bandwagon of the federal government. I believe we must be involved as a province in the discussions for sectoral access to the American market so as to convince them we are a fair trading partner and we deserve better treatment than is being proposed in Congress today.

The Premier (Mr. Peterson) is in Washington this week to have discussions about trade. I hope he will be able to come back with positive indications that the lumber industry in northern Ontario is not going to be threatened, but I am not optimistic. That makes it even more imperative

that this government, in concert with the federal government, the municipalities and the private sector, develop an industrial strategy, an economic strategy for northern Ontario.

The government should start by implementing the parts of the Fahlgren report that deal with community participation, with the participation of Indian people, and particularly with the need for a concerted effort to regenerate our forests and to stabilize the forest industry in northern Ontario. That has to be done in conjunction with an economic strategy. I encourage this government to respond to the Fahlgren report as soon as possible and to expand on the announcement of the Minister of Northern Affairs and Mines in the House today.

**Mr. Villeneuve:** It is a pleasure to rise and participate in the debate on interim supply. This is a very important aspect of running a government because without supplies and funding we would not be here today. I realize these funds operate the many ministries of the government and that approval from this House has to be obtained. There are a few things that are difficult to comment on at this stage of the game, particularly because the government has not yet brought down its budget. Without a budget, we have to do some speculation, speculation that sometimes can be right and at other times can be hit and miss at best.

I have dug up some quotes from the Treasurer (Mr. Nixon) in the last year or so. It will be interesting to remind him of a few of the statements that were made and the things that were promised, prior to May 2 in particular and throughout a number of years prior to that. I understand he made some promises not long before May 2.

**3:40 p.m.**

I am wondering whether this interim supply debate has to do with funding trips to Collingwood. I realize that Collingwood is a very fine town and has many attractions. However, I wonder whether the interim supply bill we will be approving some time later will go to fund and promote more escapades of this type.

I must ask the Treasurer about funding for agriculture. My two distinguished colleagues from the north dwelt on northern resources and the forestry industry, which is very important not only to northern Ontario but to parts of eastern Ontario and throughout Ontario. Many hybrid poplars were planted in eastern Ontario with the assistance of the former government.

This will be feed to supply the Domtar industry in Cornwall primarily. I think an excellent job of

reforestation has been done in eastern Ontario. I hope the government of the day will ensure this endeavour continues to be supported and is encouraged on some of our marginal land.

**Hon. Mr. Nixon:** How are the poplars doing in Edwardsburgh?

**Mr. Villeneuve:** The poplars are doing quite well. The first crop will be coming off within a number of years. That was an excellent program, and I hope this government continues to encourage it.

Funding for agriculture is most important. On many occasions the Treasurer has said he would, without reservation, double the \$330 million that was allocated by the previous government. I encourage him strongly not to let us down.

Last week the annual rate of inflation was announced at 4.1 per cent across Canada. Why was it not higher? Because the cost of food went down; the price of red meat, fresh vegetables and fruit went down. The agricultural community is carrying an inflation rate that is actually deflation to them. In effect, it is preventing inflation from going up much quicker. Should three per cent of the population of Ontario carry this burden alone? I feel that agriculture, and particularly income in agriculture, must be addressed very directly in the upcoming budget.

When food costs go down, 97 per cent of the people in Ontario cheer. Everyone in Toronto cheers. The three per cent who produce it say nothing, but tighten their belts and work harder just to make ends meet. This is a very important economic situation. The value of farm assets has gone down approximately 20 per cent from this time last year, according to a Farm Credit Corp. survey.

We used to see studies by some of our professors, our learned people from the universities, who tell us farmers are making all sorts of money. They reinvest their appreciating assets in capital. Several years ago we were told they were making around \$40,000 a year. Things are not nearly as rosy as some people would like us to believe, and that situation is being borne by less than three per cent of the population of Ontario.

In answer to a question, the Treasurer said he might question the federal government about the possibility of reinstating capital gains. That is the only small door a retiring farmer has; it is his retirement income. I plead with the Treasurer under no circumstances to add any burden to our agriculture community, particularly in these very difficult economic times when the sale of their property may well be, and in most cases is, the farmers' retirement asset.



I do not believe the real cost of farming will ever be known. I am not talking about profit; I am talking about the cost of farming in this day and age when sales of farm real estate properties are very slow, if indeed they sell at all. When sales do occur, they very often occur at fire-sale prices.

Talking of fire-sale situations, I notice the Treasurer is hiring some new staff to study the idea of possibly liquidating Suncor. If he is going to liquidate Suncor, he is going to have all sorts of values placed on it in the front pages of every newspaper across Ontario. As the Treasurer has an auctioneer sitting on his front benches here, I suggest he might as well give it to him; he could auction it off for him and probably do a better job.

**Hon. Mr. Nixon:** We did not write that story. That was in the *Globe*.

**Mr. Villeneuve:** The Treasurer is showing his hand. If I may suggest to him, Kenny Rogers sings a song called *The Gambler*. I suggest the Treasurer buy it and listen to the words very closely. There is a good message there for whoever is dealing with him on the Suncor business.

**Hon. Mr. Nixon:** The minister said it best. We did not buy it.

**Mr. Villeneuve:** The triple-A credit rating of this province has been maintained during some recent years that were not easy. Economically, they were the most difficult years since the Great Depression of the 1930s. The triple-A credit rating stayed with Ontario up until very shortly after May 2. It is now being looked at very closely and it is on the verge of being lost. These situations are very grave indeed and will cost more money.

The Minister of Industry, Trade and Technology (Mr. O'Neil), I understand, spent some time in Japan not very long ago. I hope he discussed a certain car manufacturing company and the possibility of bringing it to Ontario. I noticed in the papers not very long ago that he was being misquoted and that he did not say the Toyota plant was coming to eastern Ontario. I hope he has been going to bat for the people of Ontario to bring this car manufacturer to this province.

**Hon. Mr. Eakins:** He is a number one salesman.

**Mr. Villeneuve:** I hope he is a number one salesman. That could bring economic advantages to Ontario, particularly to the part of Ontario the present government has always accused the former government of forgetting, the part that

lies east of Kingston. We are still there. However, there seems to be some apprehension on the part of some of the ministers in this government about even mentioning it. The Treasurer could find no better area than eastern Ontario. I will expand a little bit on some of the things that have been done.

The city of Cornwall, in conjunction with the town of Massena—twin cities across the St. Lawrence River from one another—has made a pitch to the Toyota people to consider seriously bringing its plants here, one to northern New York state and one to eastern Ontario. We have several international bridges; we have a double rail line; we have the St. Lawrence Seaway. We have all the attributes and, in particular, we have an abundance of energy and available labour.

**3:50 p.m.**

I will give the members an example. The Kraft Ltd. plant at Ingleside expanded approximately a year and a half ago. It required 175 new employees. The advertisements went out, and in order to fill 175 positions at the Kraft plant in Ingleside, 4,350 applications were received. I believe that is reason enough to consider this area of Ontario as a very viable location for any future car manufacturing plant or any other manufacturing operation that may be looking to come to Ontario.

In closing, I wish to touch on several situations that are rather strange. I will quote the Treasurer here. When someone suggested the Liberals should join the New Democratic Party to beat the Tories a heading said, "We Don't Need the NDP's Aid to Beat the Tories." The present Treasurer is quoted as saying:

"We feel we are a very distinct alternative to the other parties," said Mr. Nixon, and he laughed at a report that current Liberal leader David Peterson had referred a similar question to him during Peterson's recent visit to Kingston. Peterson is reported to have suggested that the notion of a Liberal-NDP alliance might receive the present Treasurer's support. "No way," Nixon said with a grin. "No way, not at all."

Now I go to the other side of the House. I have a great little newspaper called the *Standard-Freeholder* of Cornwall. It says here, "Rae Rejects Samis's Suggestion." Members will all remember that George Samis was an NDP member from the great riding of Cornwall. He was the only right-wing socialist they had; they no longer have any. I quote from the *Standard-Freeholder*:

"Ontario NDP leader Bob Rae says it is absolutely not on the agenda to consider a

coalition with the Liberals in a minority Tory government, possible on May 2. Rae told a radio interviewer Friday that the Ontario Liberals are unpalatable"—my, they must now taste better—"to his party because they are more right wing on many issues than the Tories.

"The remarks came just days after George Samis, former NDP member of the Legislature for Cornwall, did not seek re-election and told supporters while campaigning with Rae that he still believes a coalition is the only way to oust the Tories." Listen to that. The guy is no longer here.

"'Otherwise,' Samis said, 'the two reasonably strong opposition parties in Ontario will continue to split the anti-government vote and allow the Tories to waltz to a handsome majority in the future.'

"'My problem with the Liberals is that I have seen them in action from another movie', Rae said in a CFRB interview to be broadcast April 28. 'I was up in Ottawa as the federal NDP finance critic before entering provincial politics and I was there during the last days of Pompeii,' he said.

"'To me, they were a governing party that had no real sense of what people are all about. They went hither and yon in terms of policies. They had no basic principles in terms of what they wanted to do and became a very right-wing party when they were in power in the last few days in Ottawa. That is where I get my sense of what the Liberal Party is all about. That is how I remember them and that is how I see them.'"

We have a marriage of two nonconsenting parties here, and they renew their vows on a daily basis in this chamber. It is an unbelievable situation. These are quotes from the horse's mouth.

It has been a pleasure addressing this debate on interim supply.

**Mr. Mackenzie:** I am always a little bit confused when speaking on interim supply. As is sometimes the case on the budget and on the various ministries, I am never quite sure how we organize this House so that we end up debating the estimates and the budget long after we have spent the money. The need for interim supply might not be as great if we had more of an industrial strategy and a plan as to what we want to do and where we see Ontario and the people of this country going.

Some of our priorities in the province are a little out of whack. I want to raise two or three of the issues that affect ordinary people these days. I wonder why we are not dealing with some of the

more fundamental issues of where we want to take Ontario. For example, we have a number of disputes going on in the province in regard to an issue that is a major one for working people. That is the question of first-contract legislation.

We have been arguing for it for a long time. It has been high on the agenda of the organized labour movement and it has been high on my personal agenda. Probably because of some of the nasty first-contract strikes that have occurred in the province in recent years, the Liberal Party saw it as worth pushing in the election campaign. We have no bad feelings about their picking up our ideas. We just want to make sure they carry through, because they campaigned before the people on an issue we have pushed for a good number of years.

First-contract legislation will probably stand or fall by whether it is a remedy that will be established only on the basis of some unfair bargaining test or whether it will be a right of workers in a first-contract, newly organized situation. I admit I have some reservations about what I hear from the new government and the responsible minister.

It is important to deal with this problem. We have had a number of situations that have become nasty, where workers and citizens of small communities have begun to question the system of justice in the province. Let me give an example. We now have a strike in Kapuskasing by the employees of a caisse populaire. As I understand it, some 40 employees, mostly women, a lot in the age group 20 to 28, have been on strike since June.

They have been trying to establish a first contract. Those employees know that some 70 caisses populaires organized in Quebec have contracts, but in Kapuskasing they have not been able to establish a first contract.

The administrator there, Gerard Pouliot, is the problem, not only from the point of view of the workers and most of the community, but also that of the Ministry of Labour. Its key people have said this is a lot of the problem in that town. Petitions have come in from the community with some 1,600 names. In a quickly organized campaign, almost half the employees of the caisse populaire are asking that they get down to business and negotiate a contract.

The stumbling block in this situation is the administrator. The Ministry of Labour has been involved in this dispute for some time, but it can get nowhere. A week ago, we thought maybe they would get back on track. There was a meeting that I understand lasted about seven



hours. However, it was not a face-to-face meeting and the arbitrators had to go from one side to the other.

It ended up with the management of the *caisse populaire* submitting a new offer to the employees that was even worse than the one that had been on the table for a number of months, on which there had been no action, with literally no benefits and extension of the contract period to 1988.

The employees went to see their local member—I believe it was the member for Cochrane North (Mr. Fontaine)—but they did not get a lot of help from him either. They argued for first-contract legislation in the meeting with him. Incidentally, this is not the only first-contract strike going on in the province; there are a number of them. They reported to me that he simply told them: “That is no answer. It would not be retroactive. That will not help you.”

#### 4 p.m.

They did not leave the meeting very satisfied with the answer they got from their local member. They certainly were not satisfied with the arrogant and arbitrary actions of the administrator of that credit union. The employees there simply are not receiving justice and are being hung out to dry, as has happened in all too many first-contract situations across Ontario.

When we cannot deal with a simple issue such as that and cannot find ways and means to bring some justice to organized workers, there is something wrong with our system.

We are running into delays, and I want to warn this government of them, with respect to decisions at the Ontario Labour Relations Board. There may be a major restructuring necessary there. It is not unusual now to wait one and two years for decisions in difficult cases.

We are having problems in getting awards set by the Inflation Restraint Board. A classic example of that involves the workers at the health clinics in Simcoe and Hamilton. Those awards were made literally years ago and the money still has not been paid to the workers.

We have a situation that should not be allowed to continue and some real problems with the Ontario Human Rights Commission. I can tell members that a matter taking one and two years there is not uncommon, and I suspect we need a total restructuring of that commission if we are going to begin to achieve any justice for people in Ontario.

I want to deal also with a situation I think is ludicrous, and that is the problem involving public health nurses across Ontario. We already

have four groups out. I think they have been out for a time. It has been a number of months in Kingston. Some 85 employees have been locked out in Windsor since October 4. They want binding arbitration. That is not an approach that has ever made me feel too good about a situation, but it is their desire.

Unlike some of the hospital workers, public health nurses are not a legislated essential service. That is the reason given for not being willing to move on this. We had some ambulance drivers in here, and they are in much the same situation. We are told the Ministry of Health would not approve a 75-25 per cent split, the current financing arrangement with the public health nurses, if parity were allowed. In other words, if the local boards agreed to increase the wages so the public health nurses could come close again to the hospital nurses the local municipalities might have some troubles with respect to provincial percentages. I find that totally unacceptable.

As I say, apart from the group that has been out for five months now in Kingston and the lockout that started on October 4 in Windsor, the Chatham and Porcupine public health nurses are also now out, and I believe a whole string of them will be out in the next very short time.

When I started to look at this, I went back and dug up the Hansard report of a debate that took place in the second year I was in this Legislature; it was on November 4, 1976. I want to read a comment. I do not know where they went wrong because it was not resolved, but it is a statement, rather than an answer to a question, by the then Minister of Health, now the Leader of the Opposition (Mr. F. S. Miller). The statement reads as follows:

“Mr. Speaker, some honourable members have inquired about the ministry’s position in current negotiations between public health nurses and local boards of health. I would like to make a brief statement which hopefully will clarify the situation.

“Honourable members will recall there has been a historical relationship between the wages in the nursing profession. Back in 1974, an arbitration board awarded significant increases to the nursing staff at the Ottawa Civic Hospital. The ministry agreed it would pick up its share of costs where similar settlements were negotiated across Ontario, both in hospitals and boards of health.

“Because the ministry pays the total cost of nursing salaries in hospitals, there was little difficulty in nurses negotiating settlements sim-

ilar to that awarded at the Ottawa Civic Hospital. However, in the public health field, where municipalities share the costs of these programs"—and it is a 75-25 split—"public health nurses were not able in many instances to maintain the parity they had previously enjoyed with their counterparts in the public hospital field. In the past couple of years, this situation has been aggravated by subsequent settlements.

"In order to rectify this situation, my ministry is prepared to provide additional funding on the same ratio as it cost shares health unit budgets. This will be provided up to an amount which would establish parity on an hourly rate basis between registered nurses in health units and registered nurses in hospitals."

That did not last very long, and in spite of that very definitive statement by the then Minister of Health we were back into the same situation before the defeat of the previous government. We are into it now and have been since this Liberal government has been in power.

I suggest to ministers and members of this House that we all give lipservice to the one major problem we have in the health care field, which is that we are not doing enough on the preventive side. That is one of the things I hope can keep people out of hospitals and cut down some of the heavier, direct costs of hospital care. It is absolutely essential we do more in the preventive care field.

Which group of employees is more qualified and whose direction is more oriented towards preventive medicine than the public health care field employees and public health nurses? Yet while we have a definite statement that it should be done and the minister saying, "I will do it in 1976 for that period of time," nine years later we have the same problem, only worse, with respect to the difference in salaries between public health nurses and hospital nurses. As yet this government is not willing, even with what has been a trickle and may become an avalanche of strike and lockout situations over this issue. My God, if it was proper then it should be obvious now. It should be underlined now with respect to preventive care. There should be immediate action taken by this government to rectify the issue regarding the nurses.

I want to deal briefly with one or two other comments that I think are appropriate. I still remember 1978 or 1979—I forget the year—when I moved a resolution that got support in this House on private pension reform. I never made any bones about the fact that the public pension route is the road that offers the best chance of

security for the Canadian people, but we all recognize the desperate need for reform of private pension plans.

The resolution called for earlier vesting, portability and some form of central agency so workers who spend only five, six or seven years at a job will not lose their pensions. Sure they get their money back with limited interest, but they lose those pensions. The resolution called for the ability to accumulate them so they can retire in some dignity. That would have been only a little bit of the answer to the needed reforms, and everybody agreed that was a good idea and it went through this House. Yes, all three parties in the debate largely agreed.

As a result of that, we set up a select committee on pensions, which made the same recommendations, probably even stronger, in 1980 or 1981. We never saw a darned thing done about it by the previous government even though we had that. Once it won its majority in 1981 it literally told us to go to pot, as it did on so many things. We have not seen any action yet by this government. I still believe improvements in the public pension area are important in the province, and by not taking action, by not making this a priority and dealing with the reforms needed in the pension area, we are adversely affecting an awful lot of Canadian workers.

Over the weekend I had the opportunity to speak in response to a couple of learned papers at the gerontology conference in Hamilton. I noticed that one of the speakers I was responding to, Dr. Schaie, outlined the difference in approach that was needed to deal with older workers in this province and country of ours. As he outlined some of the necessary steps in the situation that actually exists with respect to pensions, I could not help but think that in Ontario half the work force does not have private pension plans and a heck of a lot of those who do never get anywhere near the full benefit out of them because of years of service and age, or because they do not have vesting or the portability. Less than half of the workers have private pension plans. In his paper, Dr. Schaie concluded that a relationship between affluence and successful intellectual ageing was very obvious. If that is the case, many Ontario workers are clearly at a disadvantage.

**4:10 p.m.**

In his paper at the conference, Dr. Welford talked about the value of job changes throughout one's working life and recognized some of the problems in achieving the needed changes. In Ontario, only one third of the work force has



pension vesting provisions and pensions are still not portable. That is the very argument we were making in this House six years ago. For many workers it is difficult, if not impossible, to change jobs and absorb the financial consequences of such a decision. That also means the whole idea of retraining, of moving, of the changes that are needed in the work force, in lifestyle and jobstyle, are impossible when we have hamstrung our people with the kind of restrictions we have on pensions.

I bring to everybody's attention that we agreed back in 1978 and 1979 with many of the things I am talking about. We put them in a select committee report of this Legislature in 1981, and we are still sitting here with no action on these essential measures.

It seems to me also that we have to take a look at some of the dangers. I would like to see a little more concern on the part of the new government over deregulation. My God, if one thing hit home to me in the hearings we had in the select committee on economic affairs, it was the story we were told by the Canadian trucking industry. They made it very clear that they opposed free trade and free trade talks, but if they were going to happen we had bloody well better be prepared to look at deregulation first and in a hurry. They were all for that, unfortunately, or at least some of them were for it.

When we take a look at the story they gave us of what happened down in the United States, we begin to wonder. What happened down there with deregulation two or three years ago was that they shook out almost half the industry and many of the small companies. The big boys survived, and some of the environmental and safety and health concerns fell by the wayside as small companies tried to stay in business.

The prices went down, and that is supposed to be the plus side, so everybody can truck their stuff a little more easily. But the prices stayed down for only a year or so, then all of a sudden they were right back up to the sky again. They have shaken out half the doggoned companies and half the organized union workers in that industry. Maybe that is the aim of some in this House; it sure as blazes is not my aim. We should take a careful look at the calls we are getting for deregulation.

We had the ambulance workers here today. To some extent, they are in the same boat as the public health workers. How is it in an industry we are funding we cannot achieve something to which the government and all parties agreed?

There were individuals in both the Liberal Party and my party who had some reservations, but we finally went along with most of the recommendations made about province-wide bargaining in the building trades. We seem to shy away from seeing there is any kind of a province-wide equity or justice when it comes to health care workers or ambulance drivers around this province. Is it not time we took a look at why we should have major differences in salaries for some of these workers in Ontario?

Finally, and I think this ties in with an industrial strategy, I wonder what we are doing. We are talking about the make-work projects announced by one of the ministers and the amount of money he is prepared to put in for young workers. We are involved in a big debate on whether free trade makes any sense. We all know the changes we are facing in terms of the new technology in Ontario, the rapid pace at which it is entering what we know as the work place and what it is going to do to change drastically the work place, the work force and the kinds of jobs people will be doing.

As I have said before, we are willing to fund computer-aided design/computer-aided manufacturing centres—I do not disagree with that—to fund ways and means of speeding up the introduction of the new technology in the work place. What we are not doing anywhere, as I can see it, is taking a serious look at exactly what is the future of work and jobs in our province.

We are certainly not taking a serious look at two issues that I think are paramount in the new technological society: control and distribution. How do we control the tiger we are building in terms of the ability to produce? How do ensure a fairer distribution of the results of the new technical ability today?

I submit we have lost sight of an important factor; that is, we no longer have any problem in producing almost any kind of product or food. We can produce, not only for our own country but for the world as well, almost anything we want. The statistics we hear from those involved in the new high-tech industries, in the robotization and computerization, in the chip technology that is going on, tell us we are likely to be able to do it even faster, in greater amounts, more easily and with fewer people.

We are not taking a serious look at the fact that the problem of production is no longer a problem. The problem we have in society is one of distribution. The biggest game in town, in the international community, in the industrial world and even in the local industrial world, is the paper

game of takeovers, mergers and the big boys getting even bigger. That sure as blazes, in my simple way of looking at things, is not dealing with the problems of ordinary people.

If we can produce anything and everything we need, and I think we now can, when are we going to start looking at how we can do a much better and fairer job of distributing some of the benefits of that new society? We are not touching that question at all, I submit to this House.

At a time when history is being made and things are changing faster than ever before, we are going to have to shoulder one hell of a load of blame if we do not come to grips pretty quickly with the problem of seeing that ordinary people get a fairer shake out of our country's tremendous ability to produce and provide. That is not being shared fairly with all the people in this province.

These are the issues we are failing to address. There are a number of others. I wonder when we are going to get down to what the future does mean for people in this country of ours.

**Mr. Gillies:** I am pleased to join this debate and use the opportunity to enlarge on some of the themes, some of the concerns and some of the things being said inside and outside of this House about the employment of our young people.

I share the frustration of many members of this assembly and of many people across this province that, despite the economic recovery, the new jobs and the new economic activity within this province in the past year, a proper proportion of that renewed activity and the benefits of a reinvigorated economy are not being experienced by our young people.

I saw figures recently that indicated that of all the new jobs created in Ontario in the past year, less than a quarter of them went to people under the age of 24. The reasons for this are self evident. Many of the people in the labour force who are looking for employment have lesser levels of education or lesser levels of skill and experience.

In a work place where employers can be reasonably choosy about the people they want to hire, young people often get the short end of the stick. I sometimes think if all the words expended in this assembly by all of us on this issue could be translated into dollars and jobs the problem would have been licked long ago; but the problem goes on.

What does the future hold for us? What will happen in the coming year? The Organization for Economic Co-operation and Development, the Ontario Manpower Commission and just about every other forecasting agency or expert in this

field tell us the level of youth unemployment will not drop significantly in the next year. Even as the economy and employment levels continue to improve, they will not be affecting too many of our young people. We bring these concerns to the House.

With great interest, I listened to and read about the program the Minister of Skills Development (Mr. Sorbara) proposes to introduce. I have read his statement only once, but I will be going over it very carefully. I believe there is some merit in what the minister is doing. He is running with the concept that there should be consolidation of programs, elimination of overlap, elimination of duplication of programs—

**Hon. Mr. Nixon:** The member for Brantford called it "youth employment stew."

**4:20 p.m.**

**Mr. Gillies:** I did indeed. The Treasurer reminds me that I once called it "youth employment stew." We set in place a management team in the ministry to eliminate that problem. The minister has taken yet another step in addressing that problem, and I compliment him for it. I will not be quibbling about that point.

However, there are many issues that have to be addressed, not the least of which is the ministry's future as the delivery mechanism for these youth employment dollars. Back on April 2, the current Premier, the leader of the Liberal Party, said, "The skills development minister would not be needed if the other ministers were doing the job." He said if he formed a government he was going to do away with the Ministry of Skills Development. He said that during the election campaign.

I gather the minister has had some consultants in his office looking at the way he proposes to organize this whole area with respect to co-ordination and consolidation. I do not know what they have told him, but I would hazard a very good guess they went back to my friend the minister and told him the present idea was right. They told him one had to take all the training, apprenticeship and youth programs out of the 12 different ministries and agencies in which they have resided and pull them together into one shop, with one central administration and one minister accountable to this House.

I am guessing that is what the consultants told the minister. I hope that is what he has been told because I am absolutely convinced it was the right course of action. I look forward to the day when the minister stands in the House and informs us Bill 9, An Act to Establish the Ministry of Skills Development, will be put on the Orders and Notices, debated by this assembly



and passed. I hope we will have a very clear and unequivocal statement to that effect in the near future.

**Hon. Mr. Sorbara:** It will be in the early fall.

**Mr. Gillies:** I believe early fall has arrived. I would say to the minister there is a lingering concern and unease among the many people and agencies that deliver these programs, among the administrators of the community colleges and the youth employment centres, the municipalities and the secondary schools.

All of these people are saying, as they said to me and are now saying to the new minister: "For God's sake, we think you have got it together here. We think you have the mechanism that is going to properly co-ordinate these programs. Is it going to stay?" Because of statements made by the current Premier in the past, there is a lingering unease as to whether this mechanism will stay in place. I urge the minister to make a clear statement on that in the near future.

I think the program announced today offers some possible benefits. I want to review it very carefully, but with respect to pre-employment counselling, follow-up and duration of program, I can actually say the minister may have moved in some of the directions I believe our government would have were we still in power. However, I would say to the minister the dispute we are having about the number of jobs and the dollar commitment in this area is not trivial, and it is not one on which I will easily surrender.

We are not talking only about dollars that somehow go out of the Treasurer's coffers across the province and disappear; we are talking about dollars that give incentives to put young people to work. In a province, in a country with unemployment levels amongst our young people of more than 12 per cent, much worse than in some of the other industrialized countries of the west, I believe this is a very serious disagreement the minister and I are having.

The minister has said today, both inside and outside the chamber, he disagrees with me that the budgeted figures for the programs that are being eliminated so that he can introduce his new program are of the magnitude of \$132 million. I believe I am correct in saying he has suggested to the media we have included summer programs and other things superfluous to what we are discussing in my figures.

I will state unequivocally here and now that is not the case. The six programs that have been eliminated to facilitate the future programs are not summer experience programs, the Ontario youth employment programs, they are the

year-round programs that we introduced as part of the 1984 budget.

If the minister will go back and look at his figures, he will find what I am saying is true. I also have looked at the ministry estimates, the estimate papers which we have so far, that would indicate we had budgeted under the old programs, under the youth envelope, something in excess of \$119 million, I believe, plus the Ontario career action program, which the minister will know came out of the training portion of the ministry as opposed to the job creation portion.

Therefore, I believe the program announced today, while it may have merit in its program design and I will not condemn it out of hand, is using recycled money. It is using money we would have committed under the old programs.

**Mr. Warner:** Maybe he was misleading the House. Does the member think perhaps he was misleading the House?

**Mr. Gillies:** If so, I am sure he did it inadvertently, I would say to my friend the member for Scarborough-Ellesmere (Mr. Warner), because I think the Minister of Skills Development is a man of unimpeachable integrity and I would not besmirch his character.

However, again in these ongoing discussions we had discussions last week arising out of the failure of the ministry to fund adequately some of the programs that were about to expire in expectation of the program announced today. The minister again disputed with me that there had been a turning off of the tap on the Ontario Youth Corps and Youth Works.

One of the great things about being in opposition is receiving brown envelopes. I hope my friends in the NDP have this experience some day now that they have surrendered utterly to the government. Today I feel I have somehow lost my innocence; today I got my first brown envelope.

It is a memorandum dated September 27 from Bill Wolfson, the very excellent administrator of the Ontario youth secretariat and a very fine public servant. It is his memorandum to the ministry program managers of the Ontario Youth Corps, dated September 27.

**Mr. Philip:** They did not shred that one?

**Mr. Gillies:** Apparently not. If I may quote, in a document dated September 27 he told his ministry program managers, "Under the youth corps program, new commitments for employment must not be made," and the word "not" is underlined. New commitments of money must not be made as of September 27.

*W. J. ...*

In all the years I worked with Bill Wolfson I never doubted his word, and I do not doubt his word in that memorandum either. So it would appear there was some winding down of programs before the initiation of the new program.

This leads me, then, to wonder whether there is money left unexpended in the budget of the old programs. Again I believe that to be the case and I believe that if the minister checks, if he does not already know, he will find there was money unexpended in youth corps programs. I have reason to believe it may be something in excess of \$2 million.

As part of this debate and as part of the process the Treasurer will go through in setting his spending priorities for the coming year, I want to urge him and the Minister of Skills Development to increase their commitment. I want to urge them to increase the magnitude of their commitment to the young people of our province.

The evidence is clear. The forecasters say youth unemployment will not decrease in the coming year. It remains stubbornly high in our jurisdiction. This government and the government of Canada have the power to increase the commitment, to increase the number of jobs and to help make a real, meaningful dent in this problem, and I urge them to do it.

I believe we as a government demonstrated our commitment in this area and we pledged a further \$100 million in funding for training and youth employment before the new government took over. I would urge the minister to lobby the Treasurer. I see they are sitting together; they may be talking about this very thing. Lobby our friend the Treasurer for some more money.

He can do so with the full knowledge that if he asks the people—and the Treasurer will know this, because the polls have been released; he has the polls—if he checks the polls he will find that if he asks the average taxpaying citizen in this province what he believes are the most important areas in which government can expend funds for the benefit of its people, number one is a tie between health care and youth employment spending. He could increase this funding and bring about the kind of meaningful program we need with the full support of the people.

**4:30 p.m.**

In days to come, we will also talk about apprenticeship and training programs. I want the minister to consider that thousands of young people across the province are going into apprenticeship programs and about half of them graduate from the programs. That is a real problem, but it is not a new problem. In a report

dated March 1984, the member for Kitchener-Wilmot (Mr. Sweeney), the current Minister of Community and Social Services, highlighted that very problem. He said, "Before the recession, apprenticeship conditions relative to new registrations were 39 per cent in 1981 and an average of 56 per cent in the years preceding the recession."

He was saying that before the recession about half the young people going into apprenticeship programs finished them, and that since the recession the number appears to have gone down. I want to enter into a dialogue with the minister in the days to come, during the estimates or whenever we have the opportunity, as to what we can do.

I believe we have to build a new type of apprenticeship mechanism. We have to make the programs modular. They should be shorter in duration and more flexible because many young people in our fast-moving society today are not prepared to make a four- or five-year commitment to an apprenticeship program.

I ask the minister to consider whether these programs should be completely redesigned, such that a trainee can go into apprenticeship and take one module of work for perhaps six months, go out into the work force for a while, come back and take another unit of work for another period of time, and so on; and at the end of a given number of programs receive his apprenticeship papers. Such a system would be more flexible, more reasonable and more in tune with the type of economy and work force we have today.

The minister and the Treasurer will know as well as I that people change their full-time jobs, their professions, more today, and they will do so more in the future, than at any time in the history of the world. It is expected the average person going into the work force today will have no fewer than seven full-time jobs before he retires. We have to build in the flexibility required by that. We have to reflect the changing society in our programs.

We will disagree over some of these issues. I suspect we will agree on many others. In his budget on Thursday and in all that he does to set the spending priorities of this government for the coming year, I urge the Treasurer to increase dramatically his commitment to youth employment and training and to try to make a real dent in the problem and strike a blow for the more than 125,000 unemployed young people in this province.

**Mr. Morin-Strom:** I would like to use my opportunity to participate in this debate to discuss



some of the major concerns facing consumers. In particular, I would like to focus on some of the concerns of my constituents in Sault Ste. Marie and of others across northern Ontario. An issue that must be addressed by the province, as well as by the federal government in Ottawa, is the issue of corporate concentration in our economy.

That is a growing phenomenon in our country. Competitive forces are being replaced by monopoly interests, particularly in northern Ontario, and this is restricting the choices of consumers on the products they can get and the prices they have to pay.

The escalation of prices to consumers is of concern, particularly to myself and other members representing northern Ontario. We face high costs of gasoline, heating fuel, electricity and other energy costs, for example, in an area where we have a colder climate and we need more transportation because of the distances involved. The Treasurer should consider doing something to relieve the fuel price disadvantage in northern Ontario compared to the prices available to consumers in southern Ontario.

As well as the price issue, we are seeing rationalization of operations in a number of areas, which is creating job losses. We are seeing unproductive investments, where one firm is using its financial resources to purchase other firms in the same business. These investments are not generating new capital equipment or plant expansions, but instead are being used as an opportunity to shut down facilities and rationalize operations, and this is causing job losses.

As a result, we are seeing greater levels of unemployment, particularly in northern Ontario. This is an area where, in terms of the budget, of the tax revenues that are available to the province and to the federal government, and of the social costs of supporting the high level of unemployment, we are facing a considerable disadvantage in not addressing this problem of concentration of power.

I would like to address a few specific examples of concern to me. First, I would like to talk about the situation in the retail grocery store industry in my home community. In Sault Ste. Marie most of the major grocery outlets are abandoning the community. The concentration of the grocery business is falling more and more into the hands of one major player. For example, Loblaw's has now almost abandoned northern Ontario. They sold two of their major stores to A and P in the Sault and are left with only one bulk food store in the city.

This is a store that consumers do not much enjoy using. There is no personal service available in the store. It has cut down considerably on staff. Grocery items are not individually priced, which causes tremendous inconvenience and confusion in the minds of consumers. This is an issue I hope the province is addressing. The volume pressure on clerks in the bulk food store operation results in consumers having to do much of the work of bagging their groceries themselves. This creates a situation where the elderly in particular are not interested in using such a facility.

Another major chain, which used to be the largest chain in the Sault, was Dominion Stores. They appear to be abandoning their business all across Canada. In the Sault they sold four of their stores to A and P a year or so ago, along with about 90 stores across the province that were sold to A and P. At that time A and P agreed to purchase the Dominion chain as a separate going concern.

**4:40 p.m.**

Another major chain is Safeway, which has one store in the Sault. It now appears they are abandoning the city as well. There are indications they are about to close that store and not to build the new, larger facility they had previously planned. As a result, in the Sault right now A and P controls seven of the 10 major grocery outlets in the city.

Last week they announced they would close one of their outlets in the western end of the city. This is one of only two grocery operations in the western half of the city of Sault Ste. Marie. As a result, the closure will severely restrict the choice of consumers in the Sault who are living in that part of the town as to where they can purchase their groceries. They are subject to no choice in terms of the price charged in the A and P store that remains there.

A and P notified 48 full-time employees of layoff in the Sault. For a city that has an unemployment rate approaching 20 per cent, this move by A and P is a major blow to our community. That particular store employs about 25 full-time employees and the fact that 48 employees have been notified of layoff suggests very strongly that other store shutdowns are to come.

In fact, the management of A and P has said that if economic conditions do not improve there could be more closures in the city. In other words, if nothing changes there will be more shutdowns. It may be that all four of the

Dominion Stores in the Sault may eventually be shut down by A and P.

As a result, there is a growing level of consumer dissatisfaction in our community. Consumers are not happy with the lack of choice of locations at which they can purchase their groceries. They are not given a choice of different types of grocery operations because 70 per cent of the market is now in the hands of one operator, A and P.

There is fear that the monopoly situation will have serious consequences in terms of prices in the city. We need some type of tough legislation that will ensure concentration of power in an industry like this cannot go beyond a certain level for one major player in the market.

It would also appear that arrangements have been made between some of the major players for other communities in northern Ontario. I understand that in Thunder Bay a similar type of rationalization is going on, but in that case the major player is not A and P but Safeway, which is buying up the outlets of the other major grocery store operators in that community.

One would wonder whether Safeway and A and P have made a decision to split up the operation between communities like Sault Ste. Marie and Thunder Bay, with Safeway abandoning Sault Ste. Marie while A and P abandons Thunder Bay. Meanwhile, Dominion has abandoned both of them and Loblaws is quickly fading out.

This is one example of corporate concentration in northern Ontario, but there are others. In the past I have discussed the problem of gasoline prices in northern Ontario, in particular in Sault Ste. Marie where there are no independent operators remaining. Gasoline prices in the Sault have been at a fixed level now for nearly two years.

It is a major, high-profile issue in the city and there is a serious question about whether price-fixing is in place in that industry in our community. The operators in the Sault tell me that all the prices are set here in Toronto and the gas station operators in the Sault have no control over the prices being charged. I strongly believe we need a major investigation into the pricing policies of the major gasoline companies in the north.

One of the major players which could be having a positive effect is Petro-Canada. Petro-Canada has purchased Gulf Canada recently and, in doing so, has further concentrated the number of stations in the hands of relatively few

companies, but it could be using these stations as a vehicle for the public interest.

I would like to see our government encourage the federal government to see that Petro-Canada does price its products fairly across each province of this country. Consumers in one city should not be charged to the detriment of consumers in other cities, in a sense subsidizing fuel costs from one community to another, which now appears to be the case. Ontario could also be exerting influence on Suncor, using its 25 per cent ownership of that operation.

A final example affecting northern Ontario is the airline industry and Canadian Pacific's intent to take over Nordair. Since being elected several months ago, I have used Nordair exclusively for service from Sault Ste. Marie to Toronto. It provides a very high quality of service to my home community.

Nordair currently competes with Air Canada in serving Sault Ste. Marie and a number of other northern Ontario cities. I am very concerned about Canadian Pacific's historic lack of interest in smaller centres and whether it will be willing to serve the northern cities if it is able to purchase and take over the Nordair operation. In the past, its emphasis has been on the major centres across Canada and it has done little to provide quality service to the less populated centres.

With the potential of Canadian Pacific and Air Canada to dominate the Canadian airline industry, one has to question how they might split up that industry and whether more remote locations would get the same kind of services they are currently getting from regional carriers.

I also do not understand the need for a takeover like that. Nordair is a profitable operation and it provides good service. Canadian Pacific is wasting potential investment dollars which could go into facilities for producing products for Canadians. These could be providing more jobs for Canadians. Instead, more investment is being used to rationalize operations. It could very well be that CP views Nordair as a cheap source of airplanes for its own operation.

We have to introduce measures which will encourage companies to use their investment dollars in productive ways, for new capital equipment, new operating facilities which produce more goods for Canada and for export to other countries, so that we can displace imported products in our country. We do not need more investments which result in further corporate concentration and lead to rationalization of facilities, shutdowns of operations and job losses.



This is a major issue which has been ignored and passed by for too long by the previous Conservative government. I would hope this new Liberal administration will take some positive steps to see that competition in our province is increased in the future.

**4:50 p.m.**

**Mr. Cousens:** As we deal with this very important subject of allowing government to spend its money, we want to make sure it is spent wisely and well. There are so many areas in this province in need of help that it is important for the government to be reminded of its responsibilities. We as the loyal opposition will do that and continue to do that in the spirit of good government, although the present government has not fully understood the importance with which that is awaited in the communities of Ontario.

I would like to touch on a few of the areas that are in growing need. I want to talk a bit about one of the fastest growing areas of the province and about some of the problems it is having. I would like to talk a little about seniors in our province. There is an ongoing shortage of money being invested in them. Then I would like to talk about the misappropriation of funds and the fact this government is just failing to understand its priorities.

My area, York Centre, has to be the fastest-growing riding in the province with more than 160,000 residents and 97,000 electors, growing at a rate between 400 and 500 a week, and more some weeks, because the new houses are opening at such a rate. The government has to face up to the need for schools, hospitals, roads, transit and social and education services. These things cannot just be taken for granted because of the new residents. The new residents who come into these communities of mine, and in some of the other fast-growing areas in the province, expect basic services. They expect the government will have them there when they need them, not after they have long gone.

I am sure whoever has had the opportunity of visiting the riding of York Centre would know it is a very beautiful area with many beautiful homes. Those families that are producing children have no place to send them. In fact, next September the York Region Roman Catholic Separate School Board anticipates having 1,500 students, who will be standing somewhere, but not in front of a school, because there are no plans to provide that accommodation at present. They are going to be short of spaces for 1,500 boys and girls in my riding and in York North,

because the government has not yet told that board where it can build its schools or where the money is going to come from for them. This is just intolerable.

The previous government was able to provide at the last minute, before its demise, two additional schools in June, one for the York Region Roman Catholic Separate School Board and one for the York Region Board of Education. Now we are facing another crisis and it continues by the month as we look forward. There just has to be accommodation for these children.

After some persuasion, the Minister of Education (Mr. Conway) has agreed to meet with representatives from our separate board on November 13. I hope the member for York North (Mr. Sorbara) will be there to help persuade the Minister of Education to listen carefully and provide funds for that board to provide for the education needs we are facing.

**Hon. Mr. Sorbara:** I have already met with him.

**Mr. Cousens:** I am not allowed to see him, but I am glad the minister has and I hope he is able to get money. He can meet with him all he wants, but he should get some money for us.

**Hon. Mr. Sorbara:** I have already met with the board.

**Mr. Cousens:** I heard about that, but the minister should meet with the Minister of Education, the guy with the money, or the Treasurer, beside whom the member for York North is sitting, and see if he can twist their arms to do something for our own ridings. We need the money where we live. I am willing to give the minister all the credit possible for any help he is able to give us in getting money for schools. He will become a hero such as he has never been in his lifetime if he is successful.

Really, the little people, the big people, every person in those ridings of his and mine will have his name on their lips in a happy way for a change, if he is able to do something.

Interjections.

**The Acting Speaker (Mr. Morin):** Order.

**Mr. Cousens:** Mr. Speaker, these interruptions are normal from the third party. Maybe they should be sitting over there and form their own little rump, because they are just right beside them.

**Mr. Callahan:** I see one there across the floor.

**Mr. Cousens:** I see him and I appreciate the fact he is all ears. There might not be anything else there, but the ears are excellent. If he is able to perform with his hands, walk with his feet and

get some money for us in York region, then he will be highly regarded, more highly than ever.

**Mr. Gregory:** Bill Hodgson would have done it.

**Mr. Cousens:** That is one thing of which we can all be sure. However, the problem is great. If only we were able to get those funds for those children. Before the meeting on November 13, all of us should be doing something to speak to the Minister of Education and the Treasurer to see the dollars are there.

Up until the last week or so, we were short some 40 portables for school children in York region. They were meeting in gymnasias and other places in schools because there was no accommodation for them.

**Mr. Callahan:** That is a tragedy of the past.

**Mr. Cousens:** No, it is happening right now. There is growth in our riding. It may be happening in the member's riding and he does not even know it, but he went through it a few years ago in his riding.

**The Acting Speaker:** Order. You must address the chair.

**Mr. Cousens:** The honourable member is interfering and interrupting, and I find it so difficult not to respond.

All members know the problems of growth. We want it in this province because it generates wealth for the province. Our future is in growth, but we also have to provide the services to maintain that continuum. With the growth we are having in my area and some other areas of the province, the member for York North would surely understand that we need to see the government do something to respond to it. I ask for special consideration.

**Hon. Mr. Sorbara:** The member is pretending this problem started last June.

**Mr. Cousens:** I have kept on fighting and fighting, but the fighting is now the member's, mine and everyone's. It is important for him to share in this battle too, because it is essential.

The hospitals have become another area of concern. In our area we recently almost had a disaster of the first order when York Central Hospital in Richmond Hill was unable to gain the necessary funds to carry on essential services for that hospital. It was going to have a deficit of \$490,000 by the end of its 1985-86 year. It became necessary for that board, after talking with the Minister of Health (Mr. Elston) and not gaining any assurance that there would be assistance, to announce to about 42 members of

its staff that they would be laid off effective November 1, 1985.

The services that the hospital currently carries on would be permanently closed down. We would no longer have one wing of beds that was opened earlier this year by our government. It was going to close down acute care beds for which we had just recently gained approval. It was going to close down outpatients' services for physiotherapy, occupational therapy and speech therapy for children in order to save that money.

The board said it had no assurance the money was going to come from this government. Here we are dealing with the fastest-growing area in the province where, with the growth as great as it is, we should be getting seven more acute care beds a month, but we are faced with the closing down of those services.

What happens when this goes on? Here we are dealing with speech therapy for children who have been on a waiting list for six months before they started to receive speech therapy. Then they are suddenly faced with that obstacle of not gaining help. How long does that last? That lasts for ever. Those young people deserve a chance. It is essential that this government, as our government did, maintain the faith, keep the promises and carry on providing these services for these people.

When this government came through with \$500,000 it was this year's solution, but there is no assurance for the people of our communities that there is a long-term plan by this government to continue to provide for the increased numbers of people who are coming into that riding. That really has to be one of the basic messages I would like to give the Treasurer as he is spending the money right now.

**Mr. Callahan:** What is left of it.

**Mr. Cousens:** What is left of it after he goes and spends money on offices for the Liberal members, more staff for ministers and as he sends away the ministers' researchers for extra training.

Interjections.

**The Acting Speaker:** Order.

5 p.m.

**Mr. Cousens:** It is the Liberal members who are losing control of themselves.

I can say, and I would like to share a compliment with the Minister of Health, that he has been able to keep the plans on track for the new Markham-Stouffville hospital. That is a very important investment we are making in health care in both the York North and York



Centre ridings. This is in the process of being carried on and that is important.

Fortunately, there is some integrity there, and I would like to give credit where credit is due. The fact that he has maintained that commitment is indeed a significant step. The Minister of Health did come through when we needed him to at that time. I like to give credit where it is due, and it is good.

The whole matter of health care in our riding and in our province cannot be underestimated. Every riding is looking for money to maintain its hospitals. We had one hospital that was faced with closing down services. How many other hospitals are going to have to close down services?

It is not a problem unique to my riding; it is happening all over the place. I see large city hospitals not being able to deal with increased costs. These hospitals should not be dealing with deficits; they should be dealing with funds that are available now to serve the people now. We should not be encouraging public bodies to build deficits. They should be able to work on an annual basis out of funds granted to them by our government. It is not happening, and I do not have the sense of confidence that it is going to happen.

When one is talking about a province that is growing and dynamic, how do the people get around? We no longer walk from place to place; we have to depend on transit services. In the throne speech of the previous Tory government, there was talk of Highway 407, a significant thoroughfare that would take people south of Highway 7 and north of Highway 401 around Metropolitan Toronto. That is an essential artery which needs to be built by this province.

We are asking people into this province. We want them to do business here and we want them to go to work and get back home, but how do they do it if they do not have the roads? Roads have to be built. There has to be a priority on it, and the funds have to be set aside for planning and for long-term growth. I do not see that happening. I do not see the investment there. We need Highways 407 and 404.

When one talks about decision and indecision, one need only look at Highway 403. There were plans to build a beautiful new highway, Highway 403; it was going to be done in one year. Now, the good people across from us have said, "Let us split it in two and do it in two years." It is going to cost more, it is going to take longer and again progress is being slowed up. Let the Liberal Party

not call itself progressive if that government is not truly going to be progressive.

We are talking about transit services. People in this province are losing confidence in the transit services. The House is going to be hearing more of this from other members on this side. The problems exist now; users of GO Transit, coming from all parts of the province, are not being delivered to their downtown Toronto sites with any speed. There has to be more, and there has to be a renewed commitment.

As we look at social services, we know the Minister of Housing (Mr. Curling) has been on the hot seat. He is going to be on the hot seat as long as there is a shortage of rental housing, of seniors' housing, of housing for people who are now in a position of not having a place.

**Mr. McClellan:** Is there a new shortage of housing?

**Mr. Cousens:** It is becoming all the worse when no action is being taken to resolve it. I am sure the honourable member realizes that, and it is high time he started addressing the problem.

**Mr. Callahan:** Why is it there?

**Mr. Cousens:** It is there because there is no decision, no planning and no forethought.

**Mr. Callahan:** No, no; who put it there?

**Mr. Cousens:** It was happening previously, but suddenly there was a lack of confidence. Look at the developers who are holding back in their plans for building new rental housing because they do not know the position of this government.

We are talking about a province that up until now was progressive, growing and thriving. What is going to happen to it? The word I have is woefully inadequate. The total approach by the ministers of the crown fails to understand a number of things. There are areas of high growth that need special attention. I only hope that when the Treasurer makes his first budget speech on Thursday he is able to consider some of these essential services—schools, hospitals, roads and the social services—that undergird and make our society strong.

Let me comment for a moment on the role of our government in support of seniors' services. I know there is not one of us who does not feel for the families and for the bereaved of the 19 people who died in such a tragic way in London. I do not think there is anyone here who does not care about a long-term solution to that problem. We, as a government, are responsible for ensuring there are proper inspection teams and inspectors to go into those houses that are serving seniors

across the province to make sure the services are adequate. If there is anything this government can do to speed up the inquest and inquiry and make sure anything to be learned from this incident is released quickly, I hope this government will do so. I do not think any of us on this side want to exploit the hurt and the sadness of the people who have suffered through this. I hope there is leadership from the government on this whole subject of seniors and the tragedy that took place.

In the meantime, there is another tragedy that is not as visible: seniors waiting to go into extended care beds and looking for chronic care. There are people in every riding across this province who are being looked after inadequately. There are not proper or sufficient services being made available by the government. The sooner this government understands its responsibility to seniors, the sooner it will begin to provide for extended care and chronic care beds for those people who otherwise have no one to look after them.

This should become a priority for this government, that housing and all those related concerns for seniors are responded to and addressed. One of the things that could happen is that the whole area of seniors' concerns, currently being handled by the Minister without Portfolio, the member for London North (Mr. Van Horne), can be given some teeth to break down some of the problems existing within the government, to cause co-operation to take place between the two competing ministries, the Ministry of Health and the Ministry of Community and Social Services. If there could be some way of not just setting up a little portfolio but of giving him some responsibility over those areas providing the services, that in itself would be a step forward.

I know there is no money in this interim supply motion for pensions, but it is an opportunity to talk about those who are in need of good pensions. Surely this is an opportunity to remind the Treasurer, as he is spending his last moments putting a flourish on his budget speech, that he should do something to provide better pensions and subsidies for those people who need them. This is something we would look for. He too could then bare a smile with pride for having done something good for people.

The Treasurer has talked about it for so long. He used to sit over here, not far from where I am standing now, railing, shouting and screaming. We are now looking to him for the kind of leadership he was always looking for. May he then touch the hearts of all the people of the

province and do something to help our seniors, which he accused us of not doing before. Now is the time to do it, because there are people who need help. The money has to be invested; it is an investment for the future.

Possibly one of the things that could happen, as we look at interim supply, is that this government could begin by not spending money foolishly. If there are staff to support and uphold weak, incompetent and inefficient ministers, those staff could be let go and new ministers could be brought in who can do the job. If this government is going to have study sessions and spend government funds while staff and researchers and others go away to learn their jobs, maybe this is another area where the government could save some money. That starts to build to big dollars when one starts doing it on a regular basis.

Let there be a commitment to honesty and integrity in the spending of government money so that all of us can leave here secure in the knowledge that the dollars are being spent for those areas and purposes that are worth while.

The real message all of us have is let us keep the promise for the people of Ontario who believe in good, honest government that is going to be caring and responsive to all its people—

**An hon. member:** That is why they threw you out.

**Mr. Cousens:** We did not get thrown out. The New Democratic Party tied up with another group and formed an alliance, quite an unholy one that began and will end in disarray.

**Mr. Speaker:** Please disregard the interjections, particularly from a member who is not in his own seat.

**5:10 p.m.**

**Mr. Cousens:** There is no doubt that all of us care about the future of this province. It just so happens that we want to make sure those who are in charge this week, this month, or as long as the government has its alliance, will be not only truly responsive and caring for schools, hospitals, roads, networks, social services, our seniors, our farmers, our skills training, but also concerned and caring in a balanced and proper way that allows this province to continue to thrive and prosper. So, as we look at this interim supply bill, let us hope there is that kind of integrity in this government.

**Mr. Foulds:** I believe I will be the last speaker for our party on this motion. In case there is any suspense in this suspense-laden debate, I want to indicate that we will be supporting the motion.



**Hon. Mr. Nixon:** Hear, hear.

**Mr. Foulds:** We certainly do not want any of the salaries, including our own, to go unpaid at the end of the month. More especially, we do not want commitments of the province to go unpaid at the end of the month.

**Mr. Sargent:** The member has his own heckler.

**Mr. Foulds:** It is always one's friend one has to worry about, Eddie—oh, the member for Huron-Bruce.

**Mr. Sargent:** Grey-Bruce.

**Mr. Haggerty:** The member has not been around too long, has he?

**Mr. Foulds:** Not as long as my friend and the member for Grey-Bruce.

Being almost a foreigner to this province, having come from some 1,000 miles away, I want to start by expressing my congratulations to Toronto's baseball team for the fine season it had and for the outstanding contribution it made to a sense of community in Ontario, Toronto and even Thunder Bay. I start by mentioning this because I want to use a baseball story, my favourite baseball story, to give a few words of instruction to the Treasurer with regard to fiscal matters.

Many years ago, before there were such things as lights in most of the stadiums, there was a very fine relief pitcher named Satchel Paige. He was, of course, black, and because of the colour bar did not make it into the major leagues until he was well over 40 years old. When he did, he was and probably still is considered the best pitcher there has ever been in baseball.

During a game, he was called in to relief pitch at the end of the ninth with two out and the bases loaded. Dusk was falling over the ball park. The line umpire was saying to him: "Come on, Satchel, hurry it up. We have to get this game done before curfew." Ambling slowly into the field—that was before they had buggies to drive people to the mound from the bullpen—he said to the umpire, "I never hurry into trouble."

I want to tell the Treasurer and his colleagues not to hurry into trouble, because I detect this week a slight eagerness on the part of some of his cabinet colleagues to hurry into trouble. I want to speak on four or five areas where the government should not hurry into trouble. The first one is that I do not think the government should hurry into trouble over the privatization of certain crown assets.

**Hon. Mr. Nixon:** I bet I know which one the honourable member has in mind.

**Mr. Foulds:** No, I have two in mind. I want simply to reiterate the statements I made in terms of interrogatories in question period today to the Minister of Energy (Mr. Kerrio), through the Treasurer.

In spite of the fact it may not have been the wisest investment in the world at the time on behalf of the taxpayers when the Tory government bought something like \$600 million in shares of Suncor, that does not mean this investment should be sold off at a fire-sale price of \$100 million. I suspect the actions taken and the statements made by the Premier and the minister with regard to the possible selling of crown assets immediately reduces their value.

If you have a used car and you say, "I know this is a piece of junk, but I want to get rid of it," you are not going to get a very good price. If the Minister of Energy says, "We have a piece of junk the Tories bought for us, and we really do not want it," that means he is not going to get full or fair value for the taxpayers, should he decide to divest.

I suspect there is a real problem, and I urge him not to hurry into trouble by divesting himself of those shares until he gets a decent return for the taxpayers of Ontario. Just because the Tories bought high is no reason the Liberals should sell low.

With regard to the Urban Transportation Development Corp., it was the creation of the former Premier, for which he got the transit industry's Man of the Year award back in 1974. The company has had its troubles, and there has been a lot of wheeling and dealing, but the fact is that at present it is a profitable operation. The fact that it has begun to turn a profit is not a good reason to try to sell it off. The taxpayers suffered losses for 10 years or so. In other words, if we put in our investment as taxpayers, we deserve a return and a dividend. This is not the time to sell it off simply because it now is profitable and there may be a buyer.

I want to shift gears a bit and simply state, rather than elaborate on, four other concerns I have.

I think the Treasurer's basic job in the next budget or couple of budgets is going to be to establish a fair taxation system. His party, like this party, committed itself during the election to establish a minimum tax on those earning \$50,000 a year or more. For example, it is shameful that in 1981, 2,831 people in this province earning \$50,000 a year or more did not pay any taxes.

**Hon. Mr. Nixon:** Is that "shameful" or "painful"?

**Mr. Foulds:** It is shameful. It is painful for the rest of us and it is painful for people on low incomes, because they have to pick up and pay the taxation burden up for that. They pay it not merely on income tax; those in the bottom half of the income scale, and especially those in the bottom 20 per cent of the income scale, pay it in sales tax. That sales tax is very punishing to them because there are certain consumer goods they must have.

**Mr. McLean:** What about the farmers?

**Mr. Foulds:** If the honourable member wants to make a speech about farmers he should make his speech. He had a chance to get up in this debate and he will have a chance to get up in the budget debate. If he has a speech to make, he should make it.

**Mr. Speaker:** Order.

5:20 p.m.

**Mr. McLean:** You want a tax.

**Mr. Foulds:** Who said anything about taxing farmers? My friend should chew his toothpick.

The next priority the Treasurer must pay attention to is that there does not seem to be the firmest hand on the tiller at the Ministry of Housing. In a province as rich as Ontario, the fact we cannot and have not been able, as a society, to provide decent housing to many of our citizens is shameful and scandalous.

The fact that people are living in poverty, living without decent shelter in a province like Ontario, means that a commitment to housing starts, whether through nonprofit, co-operative or public enterprise, must be made in those areas. If the government wishes to get the private sector involved, it may; but if it really wishes to give the kind of housing supply that is necessary for middle- and low-income people, it is going to have to do it through a combination of nonprofit, co-operative and public enterprise.

I want to talk a bit about northern Ontario. My colleagues the member for Algoma (Mr. Wildman) and the member for Sault Ste. Marie (Mr. Morin-Strom) have spoken in this debate about the deindustrialization of the north, as has my colleague the member for Nickel Belt (Mr. Laughton).

It is a startling and, if I may say so once again, a shameful fact that in all of northern Ontario—not in one community such as Thunder Bay or Sault Ste. Marie or Timmins or Sudbury, but in all of northern Ontario—there are fewer than four manufacturing enterprises that employ more than

400 people in secondary manufacturing, aside from wood processing, mining and Algoma Steel Corp. Ltd.

I will name them. In North Bay we have Kenroc Tools Inc., which employs only 200 people; Lee Canada Inc., which employs 400 and is about to be closed; and Du Pont Canada Inc., which employs 400. In Thunder Bay there is Can-Car Rail Inc., which employs 400 plus; and Canadian Shipbuilding and Engineering Ltd., with 250 to 350. Those are the only manufacturing enterprises, in the normal sense of the word, aside from wood-related industries, that we have in all of northern Ontario.

That is just not good enough. There has to be a commitment in fact, a commitment in legislation and a commitment in dollars to the diversification of the economy of northern Ontario, because unless there is that commitment, unless this happens, we will for ever have people leaving the area; we will for ever have a part of the province that is, in effect, a resource hinterland to the rest of the province. I simply cannot accept that as the fate of the part of the province that I live and work in.

Finally, I want to say to the Treasurer, and through him to the rest of his cabinet, that this government has made a fair start in style. It has talked a lot about being open and it has made a fair stab at being open. It has, for example, released a number of polls that were conducted during the last number of years by the previous Tory administration. The Minister of Health released some statistics and some facts about the tragic situation in London. A few announcements of substance have come forward—the announcement of medically necessary travel and the announcement today by the Minister of Northern Affairs and Mines (Mr. Fontaine)—which is a step in the right direction.

But I also begin to detect, and it worries me, that there is more style than substance to the government, and I suggest to the Treasurer that he has a golden opportunity this week to deliver some substance and I sincerely hope he will. I hope he will do it particularly in the areas of job creation, housing starts and meeting the needs of the poor in this province.

Most of us do not like to admit the fact that there are people who live in poverty in Ontario. However, I would suggest there are people on social service benefits in this province whose incomes are well below the poverty line. There are women, elderly women in particular, living in poverty in this province. These are things that



must be remedied if we are to call ourselves a decent and civilized society.

**Mr. Hennessy:** It is always a pleasure for me to have the opportunity to join my friends in this House in debate on important issues of the day.

I am not a speechmaker of the calibre of some of the orators of this chamber, such as the member for York South or the member for Brant-Oxford-Norfolk (Mr. Nixon). As someone once said, a man who says he is not a speechmaker should not go and give a 30-minute speech. Keeping that advice in mind, I will keep my remarks brief and to the point. That will be unusual for this House, and I am sure members of all parties will appreciate the change.

As my colleague the member for Dufferin-Simcoe (Mr. McCague) has said, the members of the Progressive Conservative Party will be voting in support of this interim supply motion.

I want to deviate a minute and say that I am as concerned as the member for Port Arthur (Mr. Foulds) regarding the Urban Transportation Development Corp. and the possibility that the Kingston plant and the plant of Can-Car Rail Inc. may be sold.

The Treasurer must realize there is going to be a loss of jobs. It will be approximately 400 or 450, and probably a couple of hundred in Kingston. It will be very difficult if these plants are closed and put into other hands. I want the Treasurer and the Premier to note this remark that I am making this afternoon, because it is very important to the people in that area.

I suppose it is only fitting that an interim government should have the benefit of interim supply to go with the interim support they will enjoy from the electorate.

While I will be voting with my colleagues to pass this interim supply motion, I must confess that I do so with certain reservations. In the first place, to my mind the Treasurer is asking us to buy a pig in a poke. I have no clear sense of what the government intends to spend this money on.

What is worse, I do not believe the government itself has any firm idea of what it intends to do. No doubt the Treasurer will get around to filling us in on the details when he tables his budget. I can only hope that in voting interim supply we are not voting money for any more \$30,000 resort weekends for Liberal political hacks.

Interjections.

**Mr. Hennessy:** How do you like that? After all their talk about fiscal responsibility, the members opposite have a very strange notion of how to put it into practice.

Interjections.

**Mr. Hennessy:** If you want to speak, stand up. No problem; either you speak up or I do not listen to you.

The Premier has made a big deal about cutting the costs of the swearing-in ceremony by making his ministers bring their own Bibles. I am surprised he did not make them bring their own lunch. It saved the taxpayer about \$2,000 on the Bibles. I wish he would swear on those Bibles before he makes a statement.

Then this government turns around and spends 15 times that much on the weekend in the country for political aides. I am not sure if the taxpayers' idea of fiscal responsibility includes paying for the chance for political employees to work on maintaining their tans while admiring the leaves. However, the Premier regards this as a perfectly legitimate expenditure.

**5:30 p.m.**

While I am on the subject, I will point out that all the time the Premier has spent patting himself on the back for cutting the costs of the swearing-in ceremony, he has still spent \$5,000 more than the former Premier, the member for Muskoka (Mr. F. S. Miller), did on this.

We all recognize that in the context of the budget of Ontario, \$28,000 on a party on a front lawn and \$30,000 on a weekend in the country are pretty small potatoes. What all of us should be concerned about is how the Treasurer is going to reduce the cost of government for the taxpayers. I am especially concerned about that because we have a government which depends for its existence on the support of a party not well known for its interest in expenditure restraint.

**Mr. Foulds:** We never spent a dime; not a dime.

**Mr. Hennessy:** No, just somebody else's.

Someone once said the third party's idea of heaven was a blank cheque signed by the Ontario taxpayer. I trust the fact that the Liberal government drew heavily on policies of the third party in building its election platform does not mean it has also adopted the third party's economic physiology—

**Mr. Ward:** Philosophy.

**Mr. Hennessy:** —philosophy. Thank you very much. I knew you would open your mouth so I made the mistake. If you keep it shut you will not catch any flies.

Be that as it may, the Treasurer has come before us today and said, "Trust me." I must point out to him that a person named Nixon, with whom we all associate that phrase, was a certain

gentleman who was involved in politics in the United States.

**Mr. Foulds:** That may be unparliamentary.

**Mr. Hennessy:** All right. Members may recall that he had a problem with a tape machine and his political career came to a spectacular and premature end. I like the Treasurer too much to wish any similar fate on him. I only hope he will not undermine the confidence we show in him here today.

The second reason I have certain reservations about voting in support of interim supply is that I am not certain this government understands or will respond to the needs, concerns and interests of northern Ontario. Having the privilege of representing the people of the riding of Fort William, I must be concerned about the government's awareness of the problems and challenges that exist in our area.

I must be concerned about the government's commitment and ability to address these problems and turn these challenges into opportunities for the people of northern Ontario. I say with regret that, based upon what I have seen of this government to this point, I am the first to admit it is too early in its term.

I have to conclude that it has neither the commitment nor the ability to get jobs for northern Ontario. The fact that the government party, in spite of an impressive increase in support in other areas of the province, managed to return only one member from northern Ontario indicates to me this is not a government or party in touch with the people of the north.

During the last campaign, the Liberal Party committed itself to a large number of initiatives to improve the quality of life in the north. While I have not done an exhaustive count, I can think of at least 20 major campaign promises which relate directly to northern Ontario. I will not review them at this time. No doubt we will have the opportunity to discuss them during the session and in the estimates of the Ministry of Northern Affairs and Mines.

It is sufficient to say that the promises range from the Ontario health insurance plan coverage of medically necessary travel—I commend the government for bringing in this program and hope it is made retroactive for people who have spent money up to the time it is brought in—to tourism initiatives, to support for Indian self-government and economic self-sufficiency.

I am therefore disappointed to find so very few of these promises identified as priorities in either the Liberal-NDP accord or in the Premier's July ministerial statement. I can only conclude from

these documents that the government believes it is more important to help protect tenants in southern Ontario than it is to help operators and farmers in the north.

On a more positive side, I welcome the government's commitment to provide coverage of medically necessary travel under OHIP for the residents of northern Ontario. As I said when my party, in its June throne speech, committed itself to subsidizing transportation costs for northern residents requiring hospital care, such a program is long overdue. I urge the government to bring forward this program for debate at the earliest possible opportunity.

As for resource policy, there is little in the Liberal agenda to inspire confidence. We are promised an independent audit of Ontario's forest resources. I can only hope that counting trees is not the sum and substance of this government's forest resources program.

The government has created a new Ministry of Northern Affairs and Mines. Its effect on that important industry remains to be seen. No one in this House believes the creation of a ministry will in itself solve any problems. The creation of a ministry could result in the creation of more problems than it solves. We look for the Minister of Northern Affairs and Mines to introduce some concrete policies in the near future.

As for northern tourism, the only measure I have heard the new government talk about is the possible sale of Minaki Lodge. This is something of a letdown from a party which has long advocated freeing northern tourism from what it described as misguided government policies and ill-advised tax measures. I will be interested to see whether the Treasurer implements the recommendation of his party's task force on rural municipalities which calls for the removal of the sales tax on transient accommodation and for a common tax rate of seven per cent on food and liquor.

I also wanted to take this opportunity to express my disappointment at the government decision to freeze the Nordev program, but this speech was written before the minister's statement was made this afternoon, so I withdraw that remark and congratulate the minister and the government in that respect.

As any member from northern Ontario knows, Nordev is a popular program in the north and it has made an important contribution to economic development. I can only assume the Treasurer or the Minister of Northern Affairs and Mines will shortly be announcing the replacement for this popular and successful initiative.



I could go on to speak of other matters of concern to me and the people of the north, but I note the hour is late and the members are restless. No, they are all asleep.

**Hon. Mr. Eakins:** Round the clock.

**Mr. Hennessy:** That member woke up.

I do not wish to be too critical of this new government at this point in its mandate. Fairness demands that it be given time to implement its many promises and commitments, but I do not think this government is sensitive to northern Ontario. My belief is based on the fact that I have been told the Liberal Party is in power because it captured the yuppie vote—

**Hon. Mr. Nixon:** Not yuppie, yuppie.

**Mr. Hennessy:** Yuppie. I wanted the minister to speak. If he does not interject, people will think there is no one here.

**Hon. Mr. Nixon:** I want to help in any way I can.

**Mr. Hennessy:** Some ministers give speeches and there is nobody in the House. One wonders if it is midnight. Am I right?

**Hon. Mr. Eakins:** Our benches are full.

**Mr. Hennessy:** The minister should answer the question I sent him.

The government proposed policies which spoke to yuppie interests. We do not have a lot of yuppies in Fort William. The election results would seem to indicate we do not have any yuppies anywhere in northern Ontario. I can only assume the yuppies north of 50 live in Cochrane North, the only northern riding to return a Liberal to this House.

I will not presume to offer the Treasurer any advice on his upcoming budget. He has undoubtedly received enough advice to last him a lifetime. I have been told that in preparing his budget the Treasurer has met with more than 50 interests groups. He has his party campaign promises and the accord with the New Democratic Party to guide his decisions.

I do not doubt that the members of the \$1,000 policy club, the Liberal economic advisory forum, have been burning up the lines to the Premier's office trying to get full value for their membership fees. I am not a member of that élite group, but I am a member of this House. In that capacity I intend to look very closely at the Treasurer's first budget to ensure that it treats the concerns of northern Ontario in a fair and adequate manner.

5:40 p.m.

**Mr. McLean:** I had not planned to speak to the interim supply motion, but I thought I would

like to put a few things that concern me on the record. I should start with one of the most important aspects in the province, our health care system.

Over the years I have watched the amount of money that has gone into health care and the way health services have been provided to people. I believe we have one of the best and most efficient health care systems in the world. When the Treasurer is looking at his budget, I do not think he should forget the senior citizens of this province. It is very important, and for many years I have been discussing with past ministers more facilities, nursing homes and extended bed care, which would take the burden off hospitals. If we could direct our sights to that, I think it would be important because of the comfort we should give our senior citizens.

A friend of mine had what could be called an unfortunate mishap a few years ago when he was in Florida. He suffered a stroke which ended up costing him \$18,000 for two weeks. Comparing it to our system, one even pays for Kleenex in hospitals in Miami or Fort Lauderdale. Most of those hospitals are privately owned. I see that may happen in Ontario.

I have said many times that our senior citizens are our most important asset. Those people have worked for years and years to make what we enjoy today. I say to the Treasurer that when it comes time to put money into the Minister of Health's budget for senior citizens, he should be generous because they have been very important to me in my life.

I want to remind the Treasurer of the farming community, of which he is well aware and involved, and in which I have been involved over the years. The current state of the economy is unfortunate for the few people who feed us all. There are people in my riding who have been on the land generation after generation who are having the most difficult times of their lives. In addition, their assets are eroding because of the economy.

It is interesting to compare the amount of food one farmer supplies for our population with the hours he works. When people drive to their cottages on the weekend, the farmer is usually in his field working. We have to help farmers with the upcoming budget. If we do not, in years to come we are all going to pay for neglect today. It is a \$330-million budget. It does not seem to be very much for the number of farmers we have.

The farming community also reminds me of the environment and the spills bill that is in the works. When I look at farmers with ravines,

streams and the amount of water and effluent from barnyards that goes into those streams today, I often wonder, with the erosion problem, where the money is going to come from to correct that.

I guess when we talk of the environment we are always thinking of tourism, which is our second largest industry in this province. A good member, a neighbour of mine, knows all about tourism and how it affects the Muskokas and also eastern Ontario. Tourism affects the whole province. It is a very important aspect of our economy with respect to the jobs it creates. Not only that, it is also a great recreational time for people to enjoy the waters or lakes.

I tie that in with the environment when I am talking about tourism, because the acid rain that we have is not all caused in our province. It comes from the United States. I think it is a matter we should be concerned about.

When I look at Lake Simcoe, one of the most heavily fished lakes in Ontario—

**Mr. Cousens:** And a good lake.

**Mr. McLean:** It is a good lake; I have fished on it. A few years ago we were talking about spending \$50 million on that lake to try to clean it up and lower its phosphorus content. A study that was just released a week or two ago will have a bearing on what is going to happen to that lake, because that lake is important to the Metro area, the Golden Horseshoe area of this province. We have to have a place for the people to enjoy and we have to put money into that area to make sure it is saved for generations to come.

When we talk about the environment and tourism, we have to think of the colleges and universities. Georgian College of Applied Arts and Technology, which happens to be in Barrie, is one of the most important tourism schools we have. What the colleges are doing for the people of this province is important for the tourism industry I am talking about. I know we would love to have had an agricultural program at Georgian College; however, there did not appear to be enough students interested in it at the time. The reason it was initiated was that the students would have been able to live at home and take the course and help their parents on the farm while they were still going to school.

Getting back to the farm, I want to reiterate the importance it has for everybody in this province. Farmers are not forgotten people. They are the most important asset we have. If something is not done immediately, we will not have nearly as many as we have today.

I can remember a few years ago when we used to have cattle buyers coming from Argentina, Africa, Italy and Cuba and we used to sell cattle all over the world. We cannot do that today, because our export market is not there. I think the export business in this province is a great asset and needs to be promoted and continued to be promoted because of the dollars it helps to bring to this province.

I just wanted to say a few things to express some of the concerns I had with regard to our health care system, our senior citizens, the farmers, our environment, colleges and universities and tourism. When the Treasurer determines where his priorities are, I hope the farming community is number one in his book.

**5:50 p.m.**

**Hon. Mr. Nixon:** I appreciate the advice and comment that have come from all sides. This afternoon the debate escalated into a discussion of northern matters, and the entire northern caucus of the Liberal Party was deeply involved and interested in what was said. The participation was sparked by the fact that significant and important announcements were made by my colleagues the Minister of Northern Affairs and Mines and the Minister of Colleges and Universities and Skills Development, which I felt were very useful.

I also appreciate the fact that although the members opposite have not wished me well, in so many words, in the budget, they have indicated they share the concern of the community for what the budget might contain. It is a little late to do as I was advised by one of the honourable members, and that is that as I add my last flourishes of perfection to the document I might consider what was said.

The budget was packed away for printing yesterday at about noon and it is busily being translated into at least one other language. It will be printed and be available to all members at four o'clock on Thursday afternoon. I know members will all be understanding and sympathetic as the new government and the new Treasurer put forward the fiscal plan for the rest of this fiscal year.

I just thought I might also say I feel quite confident in the efficacy of this fiscal plan. I am not prepared to debate it at this point, other than to assure all members that consultation has been useful and very widespread. In response to a promise I made at the time of my economic statement back in July, one of the budget papers is a proposal for opening up the budget preparation procedure. I would certainly be very glad to



hear comments from all members in this connection, particularly from those involved in the standing committee on procedural affairs and agencies, boards and commissions, because I hope we can do that. I would not even be surprised if the standing committee on procedural affairs had its own independent views on these matters, although I find that the chairman, at least, is easily led.

I just want to say that rather than respond to the specific comments made by a number of members, the basis for the budget is one of careful optimism that we have some buoyancy in the economy of the province, some indication of real growth, even a bit better than what was projected, although, unfortunately, not as good as the last fiscal year, which was a very strong resurgence from the downturn of the Canadian economy in 1982 and 1983.

At the same time, the buoyancy of the economy has been accompanied by moderation in inflation and some stability in inflation. It seems to be about four per cent, although the brains over in the Treasury, including the Treasurer of course, are projecting an inflation rate of about 4.4 per cent in the coming year.

The unemployment rate, while still too high for any member of this House to applaud, is down well below the double-digit level, around eight per cent and falling. It is not falling fast enough, but is tending downward.

**Mr. O'Connor:** We will take all that as a compliment.

**Hon. Mr. Nixon:** All right, whatever the member wants. Also, the bank rate seems to be stabilizing around 10 per cent, which, once again, seems to be very high. Even when one subtracts inflation of four per cent, it still is an interest rate of six per cent, which is, I think, one of the historic highs in the economy of the

country. The point I am making is that the economy has attained some stability, although not as much as we would like; it has achieved some buoyancy, although not as much as we would like. On that basis, it seems to me we as members of the Legislature, and I as Treasurer, can forecast from this stability, with some confidence.

I would hope members of the business community, in responding to the budget, although it may be they will not like all aspects of it, will see that this is a time when they can move into expansion of their businesses and the economy in general. I would hope that we as the government will be seen to be providing for the needs of the province, as well as the specific commitments outlined by the Premier in his statement in July, in a way that is fair and equitable, and of course fiscally responsible.

I appreciate the support on all sides for interim supply. I realize members had no rational alternatives, but I feel the debate was useful. I would also like to say that when the House resumes at eight o'clock we will be following the order of bills listed in the House business paper, with the exception of order 21, Bill 38. There has been a request that it be stood down pending further consultation among the parties.

**The Deputy Speaker:** Mr. Nixon has moved a motion for interim supply for the period commencing November 1, 1985, and ending December 31, 1985.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The House recessed at 6 p.m.

## CONTENTS

Tuesday, October 22, 1985

## Statements by the ministry

Fontaine, Hon. R., Minister of Northern Affairs and Mines:	
<b>Northern development fund</b> .....	975
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:	
<b>Futures program</b> .....	976

## Oral questions

Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services:	
<b>Day care</b> , Mr. R. F. Johnston .....	984
Curling, Hon. A., Minister of Housing:	
<b>Rent review</b> , Mr. McClellan, Ms. Fish .....	982
Fontaine, Hon. R., Minister of Northern Affairs and Mines:	
<b>Northern development fund</b> , Mr. Wildman, Mr. Martel, Mr. Harris, Mr. Gordon, Mr. Bernier, Mr. Morin-Strom .....	980
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:	
<b>Sale of Suncor</b> , Mr. F. S. Miller, Mr. Foulds .....	977
Munro, Hon. L. O., Minister of Citizenship and Culture:	
<b>Museum labour dispute</b> , Mr. Grande .....	985
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:	
<b>Capital gains tax</b> , Mr. McCague .....	978
Ruprecht, Hon. T., Minister without Portfolio:	
<b>Minister's responsibilities</b> , Mr. Leluk, Mr. Rae .....	986
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:	
<b>Futures program</b> , Mr. Rae, Mr. Gillies, Mr. Warner .....	979
<b>Futures program</b> , Mr. Gillies, Mr. Lupusella .....	983
Sweeney, Hon. J., Minister of Community and Social Services:	
<b>Group home security</b> , Mr. Eves .....	985

## Petitions

<b>Roman Catholic secondary schools</b> , Mr. J. M. Johnson, Mr. D. R. Cooke, Mr. Taylor, Mr. Reycraft, Mr. McNeil, tabled .....	987
--	-----

## Motion

<b>Committee substitutions</b> , Mr. Nixon, agreed to .....	987
---	-----

## First reading

<b>Regional Municipality of Hamilton-Wentworth Amendment Act</b> , Bill 39, Mr. Allen, agreed to .....	987
--	-----



---

**Government motion**

<b>Interim supply</b> , resolution 9, Mr. Nixon, Mr. Wildman, Mr. Villeneuve, Mr. Mackenzie, Mr. Gillies, Mr. Morin-Strom, Mr. Cousens, Mr. Foulds, Mr. Hennessy, Mr. McLean, agreed to .....	988
---	-----

**Other business**

<b>Polls</b> , Mr. Nixon .....	987
<b>Recess</b> .....	1011

**SPEAKERS IN THIS ISSUE**

Allen, R. (Hamilton West NDP)  
Bennett, C. F. (Ottawa South PC)  
Brandt, A. S. (Sarnia PC)  
Callahan, R. V. (Brampton L)  
Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services  
(Oriole L)  
Cooke, D. R. (Kitchener L)  
Cousens, W. D. (York Centre PC)  
Curling, Hon. A., Minister of Housing (Scarborough North L)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Eves, E. L. (Parry Sound PC)  
Fish, S. A. (St. George PC)  
Fontaine, Hon. R., Minister of Northern Affairs and Mines (Cochrane North L)  
Foulds, J. F. (Port Arthur NDP)  
Gillies, P. A. (Brantford PC)  
Gordon, J. K. (Sudbury PC)  
Grande, T. (Oakwood NDP)  
Gregory, M. E. C. (Mississauga East PC)  
Harris, M. D. (Nipissing PC)  
Hennessy, M. (Fort William PC)  
Johnson, J. M. (Wellington-Dufferin-Peel PC)  
Johnston, R. F. (Scarborough West NDP)  
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
Laughren, F. (Nickel Belt NDP)  
Leluk, N. G. (York West PC)  
Lupusella, A. (Dovercourt NDP)  
Mackenzie, R. W. (Hamilton East NDP)  
Martel, E. W. (Sudbury East NDP)  
McCague, G. R. (Dufferin-Simcoe PC)  
McClellan, R. A. (Bellwoods NDP)  
McLean, A. K. (Simcoe East PC)  
McNeil, R. K. (Elgin PC)  
Miller, F. S. (Muskoka PC)  
Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
(Brant-Oxford-Norfolk L)  
O'Connor, T. P. (Oakville PC)  
Philip, E. T. (Etobicoke NDP)  
Rae, R. K. (York South NDP)  
Reycraft, D. R. (Middlesex L)  
Ruprecht, Hon. T., Minister without Portfolio (Parkdale L)  
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development  
(York North L)  
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)  
Taylor, J. A. (Prince Edward-Lennox PC)  
Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wildman, B. (Algoma NDP)





Page 100

1. The first part of the paper is devoted to a discussion of the

theoretical background of the study.

2. The second part of the paper

describes the methodology used in the study.

3. The third part of the paper

presents the results of the study.

4. The fourth part of the paper

discusses the implications of the study.

5. The fifth part of the paper

concludes the study.

6. The sixth part of the paper

provides a summary of the study.

7. The seventh part of the paper

provides a list of references.

8. The eighth part of the paper

provides a list of appendices.





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K1  
D23

R2

Government  
Publications



No. 28

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 33rd Parliament**

Tuesday, October 22, 1985

Evening Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 22, 1985

The House resumed at 8 p.m.

## MUNICIPAL ELECTIONS AMENDMENT ACT

Hon. Mr. Grandmaitre moved, seconded by Hon. Mr. Nixon, second reading of Bill 27, An Act to amend the Municipal Elections Act.

**Mr. Sterling:** I should indicate that our caucus is in support of Bill 27. However, because of events that have occurred in my riding over the past few days—

Interjections.

**Mr. Sterling:** Mr. Speaker, now you understand why we are going to try to do away with night sittings. Two members of the standing committee on procedural affairs and agencies, boards and commissions are causing the most fuss tonight. They are from the New Democratic Party.

As I was saying, our caucus supports Bill 27, but I feel obligated to speak briefly, and as succinctly as I possibly can, about a set of circumstances dealing with the Municipal Elections Act which has occurred in my riding in the past few days.

Before I begin that, I would like to congratulate the member for Ottawa East (Mr. Grandmaitre), who of course is from eastern Ontario, on his appointment to the very important post of Minister of Municipal Affairs. From his past record, I know he will be fair to all members of the Legislature in trying to deal with problems across our province and will deal with them in a fair manner. I know he will be most concerned in particular with the problems of eastern Ontario.

The problem that has arisen in my riding relates to the current municipal election. In the town of Kemptville, the clerk of the municipality has rejected one of the two people who were nominated for the position of deputy reeve. I have nothing to choose between one candidate and the other, but I thought it would be important for me to draw attention to what is perhaps a defect in this legislation.

I will relay the facts of the situation which occurred in order for the minister to have some time in the next few days to attempt to resolve this problem.

On Friday, James Wrong was nominated by 10 people who are, by definition, entitled to vote for the position of deputy reeve. Unfortunately, two of the people—and there were only 10 people on the nomination list—were not on the preliminary list of electors. One of those persons made application to be included on the list after Friday noon, when the nomination papers were given to the clerk of the municipality, and therefore was qualified as being a qualified nominator; so there were nine out of the 10.

The 10th person called the clerk's office and said: "I am signing a nomination paper for James Wrong to run as deputy reeve of our municipality. My name is not on the list of electors. How do I get my name on the list of electors?" The answer from the clerk's assistant was, "You must apply to the municipality, but you have until Wednesday to apply to get your name on the electoral list."

Although the clerk had the nomination papers over the weekend, he made no contact with the candidate. I confirmed that with the clerk this evening before coming into the Legislature. At 5 p.m. or shortly thereafter, when nominations were closed, the clerk determined there was one name short on the nomination sheet for James Wrong.

Unfortunately, although the other fellow who was correctly nominated for the position, Howard Wilson, had nothing to do with this entire process, but perhaps blame, for whatever reasons, may be attributed to him. I should make it clear that there should be no blame on that individual.

Clause 36(1)(a) of the Municipal Elections Act says one must not only be an eligible voter in order to sign the nomination but also must be on this magic list. The individual who caused the rejection—if we want to single it down to that one party, which is what happened—actually owns a business on the main street of the town of Kemptville. The clerk in all probability knew this individual was going to be eligible to vote in the municipal elections.

The thrust of my story, and perhaps it was exhibited in the municipal clerk's conversation with me, is that he felt no obligation—in fact, he felt reluctant—to go to the candidate and say:

"Mr. Wrong, your form is wrong." He felt that would be interfering politically with the process and that he would be favouring one candidate over the other. He said to me: "The obligation is totally on the candidate to get enough names to make certain he is on the list."

What had happened in the story, as I have already indicated, was that the nominator who caused the rejection had made some positive steps to try to rectify it but was given some wrong information.

I believe clause 36(1)(a) should be amended so that all that would be required would be 10 eligible voters. Perhaps another section should be included to say it would be conclusive evidence if they were on the electoral list to prove that; that would take the clerk off the hook as to going through the list and doublechecking the names as they came in.

That would in some way put some onus on the clerk. I think it is important in Ontario, and particularly in small-town Ontario, to get as many qualified candidates as possible to run for elected office. By indicating to the clerk that he has to go one extra step, I do not think we are involving him in a political process.

**8:10 p.m.**

The minister informed me in the House earlier today that it used to be 50 electors. Dropping the number to 10 is an indication that when we were changing the act before, our government wanted as many people as possible and to make it simple to be nominated. Therefore, I suggest the minister consult his officials prior to bringing Bill 27 back so we can consider that amendment then.

**Mr. Breagh:** I had a little difficulty following the previous speaker as I searched through the one clause of the bill which allows the clerk of a municipality to return the roll and has to do with establishing boundaries after April 1. I had to work to find the relevance of the principle of the argument, but I admit that somewhere in the muck and mire that has just been presented probably there was a principle of some kind.

We support the bill and will be happy to see it proceed.

**Mr. Haggerty:** Having listened to the contributions of both previous speakers, I want to share some concerns about this bill. I see it says the clerk is to divide the wards of a municipality into polling subdivisions and to inform the assessment commissioner of the boundaries of each subdivision not later than April 1 in an election year.

I hesitate to say the clerk should make that decision. If I interpret it correctly, it leaves it to the clerk to be the final deciding factor without having public input. The town of Fort Erie has had some difficulties over the past 10 years or so in trying to establish wards in the town that would be fair in terms of representation. Sometimes the older part of a municipality is well established with respect to streets and population and then you deal with parts of the rural municipality, and sometimes I feel the rural sector, particularly when there is a large municipality established through legislation here, may cause some difficulties with respect to fair representation.

I do not like to see the power left with the clerk. The power should come from the elected representatives, and that is the council.

**Mr. Breagh:** There is a real opposition party.

**Mr. Haggerty:** Well, the copy of the bill I have says it was proposed by the Honourable D. R. Timbrell. We are talking about the same bill. I suppose if I were on that side of the House I would be saying the same thing. Regardless of which side of the House I sit on, as a member I have a right to speak on any of the issues here. My friend the member for Oshawa (Mr. Breagh) and I, having a bit of Irish in our heritage, we will not let any moss grow under our shoes, one might say.

Getting back to the bill, there is too much authority given to the municipal clerk. The elected representatives or concerned citizens should have a right to say how these wards shall be established. Under the old section, when one wanted to expand or change wards in municipalities, one had to go through the process of an Ontario Municipal Board hearing. That may be the safety factor in this, although I do not see it here unless it goes back to making reference to other chapters of the Municipal Elections Act.

I am concerned that an appointed official of a municipality should have the power to divide a municipality. I do not think that is the intent of this legislation. The concern of the citizens should be put first, before any of this. This might have been a resolution from the Association of Municipalities of Ontario, I do not know; however, it may not be quite the right approach to take under our democratic system.

**Hon. Mr. Grandmaitre:** I want to make sure everybody gets this legislation straight. It will amend the Municipal Elections Act to deal with the current ward system in the city of Oshawa and in several other municipalities. It will do so by removing the requirement in section 17 of the act



whereby the clerk must inform the assessment commissioner of the municipality's polling subdivision boundaries by April 1 of an election year. This change will enable affected municipalities to make revisions to their polling subdivisions after April 1.

Motion agreed to.

Bill ordered for third reading.

### FAMILY LAW ACT

Hon. Mr. Scott moved second reading of Bill 1, An Act to revise the Family Law Reform Act.

**Mr. O'Connor:** I welcome the opportunity to address the House on a bill of real interest and concern to myself and to our party. I can indicate at the outset that our party will be supporting what we see as a highly progressive piece of legislation.

We wish to commend the Attorney General (Mr. Scott) before he leaves the chamber, provided he is listening, for his foresight and wisdom in bringing forth this very progressive bill. I see him scurrying back to his seat to accept the plaudits of this side of the House for his wisdom.

This bill was originally introduced by the present Attorney General's predecessor, who happened to have been a Progressive Conservative and who was part of the government at the time. Thus, we do support it and heartily so.

In my previous incarnation, before being elected to the giddy heights of this House on May 2, I was a family law lawyer for a family law practitioner, and had been for the past 15 or so years. As such, I had the opportunity to work extensively with the current and existing Family Law Reform Act, which Bill 1 revises quite extensively.

When the Family Law Reform Act was first introduced in 1978, it was heralded as a significant advance to the rights of separated spouses, and particularly to the children of marriages and common-law relationships. Because the bill was new and totally changed the existing common law as it applied to marriages, separations and marriage breakdowns, it was required to go through a significant period of judicial interpretation. The courts developed approaches to the major new issues in that law, particularly as they related to property division, support for spouses upon separation and exclusive possession of the matrimonial home.

8:20 p.m.

The concept of custody, which was the other major issue dealt with under the Family Law

Reform Act had, of itself and through the common law, developed quite significantly by 1978 and therefore required little further evolution under the act.

The bill now before the House is the culmination of the significant judicial and scholastic thought which over the past seven or eight years was applied to the Family Law Reform Act during its existence. There are several advances and updatings made to the previous law in Bill 1. I would like to run through those briefly and touch on them, and I urge all members of the House to consider them and consider supporting them.

First among those are the property division sections. This is the area which required the greatest amount of reform over the seven years of the development of the old law and as contained in this bill. Previously, assets of a married couple or common law couple were divided into two different categories: family assets and nonfamily assets. There were significantly different rules applying to each of those two categories upon separation or breakdown of the marriage.

Family assets were generally those items which were used and enjoyed together by the couple or the family as a unit. They generally included the house, the car, the cottage, joint bank accounts and so on. They were usually easily identified, easily characterized and the rules with respect to them were quite straightforward. Basically, upon a separation, the family assets were divided equally between the parties.

The difficulties arose with respect to nonfamily assets. They are items that were generally owned or held by one of the spouses to the exclusion of the other and to the exclusion of the family. They usually included things like the family business and perhaps an inheritance that one of the spouses might have acquired and had invested to his or her own use without any right or encroachment by the other members of the family.

Typically, the rules provided that on the breakdown of a marriage the nonfamily assets were to be held and kept by the owning spouse and the other spouse could acquire an interest in the nonfamily assets only if he or she were able to show that one had in some way contributed to the purchase, the maintenance, the buildup or the expansion of a nonfamily asset.

I can say, as a family law lawyer, the ends to which lawyers went to make their cases, to show their clients had made some contribution, were quite extensive. We would get into not only direct monetary contributions, which were quite

easy to calculate and identify, but we would also get into assessing how many times the wife might have attended at the husband's place of business, how much of a contribution she might have made by way of looking at the books or by making suggestions as to how the business should be run.

We even got into—I can recall several cases where this occurred—attempting to calculate how many cocktail parties the wife would have thrown in the house for clients or customers, or potential clients or customers of the husband, to show she had made some kind of a contribution. It was really a difficult and tortuous procedure to determine entitlement.

The difficulty of all of this was that it missed the point entirely. It missed the point of the contribution that, in the usual or normal family relationship, both of the spouses made towards the success of that marriage, the success of that relationship.

The new act simplifies the approach to asset distribution. We now recognize that a marriage is a partnership involving joint responsibilities and contributions—different responsibilities, different contributions, but generally equal contributions. That is, if one of the parties puts on his Sunday best clothes, goes out to work, actually earns a paycheque and brings it home, it is now recognized that he or she no longer makes a greater contribution to the family unit than does the partner who remains at home—usually the wife, who may work part-time but who usually remains at home—manages the children, keeps the house, makes a contribution to the general welfare of the family, to the comfort of the wage earner and in other respects that traditionally had not been recognized simply because he or she did not earn a paycheque.

**An hon. member:** The farm wife.

**Mr. O'Connor:** The farm wife, as I am reminded by the honourable member, is a classic example of that situation. I do not think there are many wives in traditional marriages who work harder than the farm wife, who is up with her husband and does similar types of jobs around the farm, from tending cattle to making all of the meals to raising the children.

Finally, although the courts have struggled with this concept for some years, we have seen the wisdom of codifying that involvement in the provisions of this bill, which now provides for an equal distribution of all assets, be they family or formerly classified as nonfamily, with the exception of a few matters, which usually include inheritances, gifts and some assets that were brought into the marriage by one party.

Generally, the concept is the equal distribution of all assets. This is progressive and it is as it should be.

A second area in which there is some significant change is that of mediation. There has been developing—quite rapidly, I might say—in the family law litigation area a somewhat informal system of mediation whereby matrimonial disputes are, often at the suggestion and agreement of the parties, referred to a mediator upon consent for purposes of the parties attempting in a more amicable setting to solve some of their problems, some of their outstanding differences, instead of having to submit to the litigation process, which very often exacerbates the feelings between them and creates more difficulties because of its confrontational nature than does the mediation process under an experienced mediator.

Section 3 of this bill establishes authority in the court to appoint a mediator and sets out rules for him or her to act when requested to do so by the parties. Again, the bill merely codifies what has been well-recognized practice in the family law bar for some time.

A third area of significant change is that of common law marriages. Formerly under the Family Law Reform Act a common law relationship had to have survived for a period of five years, if there were no children of that relationship, before one spouse could seek any support rights against the other spouse upon the breakup of the relationship. The new bill reduces that five-year waiting period, or that five-year period to establish the permanency of the relationship without children, to three years.

**8:30 p.m.**

Where children have been produced of the relationship, formerly the law was that there had to have been a two-year relationship. We have now reduced that period not to any particular time but to a period that is described as being of some permanence so that, presumably, if a couple in a common law relationship have had a child and the person making a claim for support is able to show that the relationship was of some permanence, be it one of six months, nine months, 12 months or whatever, then that person is, and should be, in my opinion, entitled to some support.

My only concern is that whereas the main thrust of the bill is to reduce or to do away with as much litigation as possible through the use of mediators, through the use of codifying or through changing the approaches to the division of assets, this section, which now requires



somebody to show a situation of permanence, may promote litigation.

If there is not a set time period which is easy to identify, then one side will be leading evidence in a court case to show there was a permanent relationship and the other side will be trying to show the relationship was of a passing nature and not one of permanence. We will see what the courts do with that one. I am sure rules will develop whereby litigants will be guided as to what is meant by the permanence of their relationship.

The enforcement provisions of this act are significantly strengthened, and well they should be. The enforcement of support orders in particular, and other orders of the court, have been strengthened. Previously it was impossible, or very difficult, to seek garnishee or attachment proceedings against pension funds, which in the normal course of family relationships were often owned by a husband.

The act specifically makes a certain range of pension funds subject to attachment, subject to garnishee by a claiming spouse. Those include the Ontario municipal employees retirement system, the Pension Benefits Act, the Public Service Superannuation Act and the Teachers' Superannuation Act. All now are subject to claims, whereas before they were inviolate.

Another practice has been incorporated in the act which had been informally adopted by the litigating family law bar in the province. Again it is one I believe should have been codified, as it has been. That is the question of indexing support orders. In the situation as it existed, the courts felt they did not have the authority or jurisdiction to order that a support order be subject to the consumer price index, and simply would not do that.

The courts would make an order for a set amount of support that should be paid, for instance, by a husband to a wife. She might wish for an increase in that order as time went on. The husband might be making more money or she might have fallen on hard times. There was inflation, particularly during the years 1981 and 1982, when inflation was in double digits. A couple of years went by and by 1983 the dollars the wife was receiving in 1980 might be worth a third to even a half less than when the order was made.

What was necessary then was usually for the wife to reapply to the court to have the order made several years before adjusted. That meant a fresh application, with the costs, inconvenience and time involved; and it was usually resisted by

the husband. There was a necessity to resort to the lawyers and it was generally an unsatisfactory situation to litigants; not to the lawyers, who welcome that kind of thing, but I am here representing the people of this province and not my profession necessarily.

The indexing provisions of this bill now permit judges to make orders that can go on to be subject to being increased regularly—or decreased should the CPI decrease—but increased regularly according to the CPI or some formula tied in with the CPI. This should prevent the multiplicity of applications that existed in the past.

Those are some of the rather broad and sweeping changes this bill brings about, changes we can heartily support. I might point out, however, one significant difficulty that has arisen with respect to the bill as drafted. The provisions of the bill, particularly section 72, provide that the property division sections are to be retroactive to June 4, 1985; June 4 being the day the bill was first introduced to this House by the former Attorney General, the member for Cochrane South (Mr. Pope).

The thought behind that approach, and presumably what he had in mind, was that during the course of this bill through the House, which we anticipated would be a brief course, we did not want thousands of people, particularly husbands, to anticipate the coming provisions about division of assets and then attempt to speed up the procedure and rush their settlements to conclusion.

The establishment of a retroactive clause as of June 4 would have prevented all that, but what has occurred in the profession and to all those people who have gone through separations, either shortly before that time or over the past summer, is that there has been a considerable degree of uncertainty.

On the one hand, people, particularly those with more assets than their spouse, have looked at the bill and said: "I am going to get caught by that section. Maybe the bill will not go through. Maybe it will be amended on its way through. I had better wait or I had better settle up with my spouse on some basis;" anticipating that it either will or will not go through.

In other words, people have been speculating. In some cases, people have attempted to rush their cases to conclusion. Others, anticipating that section will be included in the bill, have attempted to delay their cases hoping to do better under the new act once it is brought in.

From personal experience, I can tell members that a good proportion of family law cases which

were pending in June have simply ground to a halt. Applications are being made to the judges for adjournments on the basis that the present law provides for a certain regime of property division. They can read as well as anybody that the new law is retroactive to June 4. If they make a decision based on the old law, as soon as the new law is passed the litigants before them will be coming back asking for a better deal—in the case of the wives—than they got under the old law.

As a result, quite a number of justices of the Supreme Court and judges of the district court are acceding to the requests to adjourn cases. There is a significant backlog of cases of this type building up while people are wondering what is going to happen.

I suppose we can lay blame. This government is supposed to govern and bring matters forward. We all agree this is a progressive piece of legislation and that it should be passed as quickly as possible. It well might have been passed before we rose last summer, thus preventing much of the difficulty that is arising in the family law bar at present.

I would ask the Attorney General, if he is to address us on this bill, to consider solutions to the problem that has arisen. It is not sufficient to simply say: "We are going to get the bill through right away. We are going to do it as quickly as possible." He has to put his mind to the fact that some four or five months have now passed, and perhaps more by the time this goes to committee, is reported back to the House and finally passed, and there is a significant number of litigants out there in a real quandary, wondering what to do with and about their cases.

**8:40 p.m.**

Generally, those are my remarks. I can confirm again that our party is fully in favour of this very progressive piece of legislation. We feel it should get on to its conclusion as quickly as possible, but that severe and significant difficulty I have addressed should be resolved by some solution on the part of the government before the bill reaches its conclusion.

**Ms. Gigantes:** I feel this is a historic moment. We are dealing with the reform of the Family Law Reform Act. It is seven years since we had the first round in this Legislature. It was seven years ago that we debated many of the issues that are being touched on, if not addressed, in the discussion and the bill before us tonight.

I would like to take a moment to reflect on the fact that some of the major items in this bill are items the New Democratic Party put forward as

amendments to the legislation we dealt with back in 1978 and which we said and stressed were going to have to be addressed by the legal system in Ontario. I do not mind saying we were right and that it would have saved a lot of pain and agony if we had had Liberal support, for example, in the discussion of what should be included in family assets, now called net family property.

I would also like to reflect on what those seven years have meant. We knew when we passed the original legislation that for thousands of people in Ontario, principally women, the bill we were then dealing with, while it certainly did not go as far as time has proven it should have—

**Mr. Haggerty:** That is what the former member for St. George, Margaret Campbell, said. She said the same thing.

**Ms. Gigantes:** Yes, but her colleagues in the Liberal caucus did not agree. I remember her colleague from Ottawa East gave us a little lecture one day in committee. We were talking about an amendment and a better bill. He said: "We cannot change the world through legislation. We cannot change reality." I think we have proven what reality is by the fact that whether Liberals or Conservatives are ready to address it at any given time is one thing, while what we really have to deal with is another.

Back in 1978 we knew the bill was a step forward for thousands of women in Ontario. I think it has proven that, but we do not know for sure how much of a step forward it was because there has never been adequate monitoring of the effects of the legislation. It is an utter shame we do not have that monitoring as we address reform of the reform.

I seriously suggest to the Attorney General that he set up a monitoring mechanism at this stage. I think it is one of the most important pieces of legislation we have, one that reflects on the tone and civility we expect in human relationships in Ontario and on the concept of mutual responsibility within a relationship of marriage and within a relationship that has children.

I think it speaks to a change in the way we value children, provide for their support and recognize the people who do the main job, mainly women, obviously, of bearing, but also of raising, caring for and taking the major responsibility for children.

For those reasons, I think this legislation needs careful monitoring. I do not think it would be a terribly sophisticated, complex or costly job. It would be of tremendous importance to have that monitoring occur, particularly if the bill goes



ahead in its current state, because this bill has flaws. I will come to those as I see them.

I would like to say one other word, which is that we knew back in 1978 that the bill we dealt with then would certainly not address the problems that were confronting thousands and thousands of other women for whom this piece of legislation was essentially irrelevant, who were members of families who did not have a matrimonial home, who did not really have any family assets and where, in many instances, the major income earner did not have enough money to support two families.

We are going to address part of that problem in our consideration of Bill 14, in which we will finally take some public responsibility in Ontario for the enforcement of support and custody orders. I am pleased about that. I think these two bills go hand in hand. They certainly do not address all the needs of all the families in all of Ontario, but they will go a long way.

The previous speaker, my colleague the member for Oakville (Mr. O'Connor), pointed out there are three major sections in the bill. Family assets are now being called net family property, and there is a proposal that there should be a 50-50 split of net family assets. This we support wholeheartedly, and we have done so, I should point out, for seven years.

The provisions in the bill that deal with the division of net family property may not be adequate, and I think this should be taken into serious consideration when we discuss the bill in committee. The speaker before me suggested that pensions are now included. They may be and they may not be. It is not spelled out in the net family property section and it ought to be spelled out.

I will tell members why. Back in the old bill, the bill under which we are operating now, there was a provision that allowed the court to share nonfamily assets, something that we might now call net family property; so it is not really a new concept that there could be a sharing. The bill we passed in 1978 gave the court power to share property—nonfamily assets it was called—where the 50-50 sharing of the matrimonial home did not provide the dependent spouse with adequate compensation for such things as household management or child care; but that did not mean that sharing of nonfamily assets took place.

In fact, in a case that went to the Supreme Court in 1982, *Leatherdale versus Leatherdale*, it just did not work out that way. The Supreme Court ruled that if there was no dispute about one section of the bill, namely, the division of family

assets, then the court could make only a very limited division of other property, which was referred to as nonfamily assets. In that case, the assets that were being talked about were pensions. There was not an equal division and there was not a compensatory division of fairness. In fact, one of the justices wrote of his concerns about that interpretation in writing a dissent to the Supreme Court decision to Justice Estey.

I am concerned that this bill does not spell out in the relevant section, section 5, that pensions should be included. I think it should spell that out. We have enough knowledge now to know that what is not spelled out can be debated, and what can be debated can be denied to a spouse who has a right to an equal share in any equitable framework.

**8:50 p.m.**

The net family property section, which provides for a 50-50 sharing, does not take into account home management or child care as a reason for varying the 50-50 split of net family property. It allows discretion by the court which I think is too wide in one sense. It allows for a court to vary a 50-50 settlement of net family property that would be unconscionable because of "special economic circumstances," but it does not provide for a variance based on the kind of contribution that women have traditionally made and will continue to make to home management, child rearing and child care. Those are lacks. We have enough experience now to know we must spell out these things if we want to see judgements based on them.

We do not have any provision in the sharing of net family property for the payment of interest. That is something this bill should address, because a court judgement can occur quite a long time after a separation occurs. If there is to be a sharing of the property and if it is to be equitable, then a delay in that sharing is going to cost the dependent spouse. It should be spelled out in the bill that interest should be attached to that delay.

I would also like to see a change in the bill that would provide against the kinds of decisions that have occurred under our existing legislation related to the sharing of property or the matrimonial home, because of an interest acquired by a creditor or because of a bankruptcy declared by the spouse with the greater financial interest. The Attorney General has received submissions on that score. I would like him to consider an amendment on that point.

One other point that I think it is fair to raise in discussing the net family property section of the bill, part I, is that in many of the cases that have

come to public attention since 1978, and here again I think it would be extremely useful to have a monitoring system for judgements, we have seen that the partner with the greater financial power, the man in all of the cases I am aware of, has been willing to ruin assets in order to punish the dependent spouse. There have been several outrageous examples of that. I think we had better take care in this bill that we make as great a provision as possible against that occurring.

When we get to the discussion of net family property, which includes business property and farm property—and it should specifically include pension assets—I would like to see that as soon as an application is made under part I the court should be called upon to review the potential for the stronger partner, the spouse with the greater financial power, to set out deliberately to ruin the assets that are available to the spouses. I would like to suggest to the Attorney General that section 12 should include that kind of provision.

On the matrimonial home section, one would think, given the bill in 1978, there could be very little doubt what would happen in terms of a sharing between partners on the matrimonial home. In fact, there have been some gross examples of how unfair the results of an action under this section can turn out to be. In effect, in some cases it was quite clear that one partner set out to rob another. The stronger of the two partners in financial terms was able effectively to rob the weaker financial partner.

I would draw to the members' attention *Stoimenov versus Stoimenov*, the case that went through the Ontario Court of Appeal in 1985, where a husband went through incredible lengths in a successful attempt effectively to deprive his wife of a share in the matrimonial home. He swore false affidavits and he got a lawyer who knew that the home was a matrimonial home to act as if it were not a matrimonial home.

I think there is clear indication, given that kind of experience, that we should write a provision into this bill that requires a party who is acquiring rights to a home to take some responsibility for determining that it is not a matrimonial home; otherwise, the right of the dependent partner can be absolutely undone.

There have been high legal judgements on this question. The previous bill did not satisfactorily protect the rights of the dependent spouse to a share in the matrimonial home. This bill contains the same language and, therefore, the same potential flaw for cases here in Ontario.

Given those judgements, and the Attorney General will be well aware of them, it is

important that we take the necessary steps to do what we can to assure that it will not happen again. We are talking about the matrimonial home here. What is more defensible? What should be defended with greater care than the sharing of the matrimonial home? This bill does not provide for that.

If it causes a bit of inconvenience for people who are buying homes to go to the trouble of assuring themselves they are not acquiring a matrimonial home and abusing the rights of a dependent partner, that is too bad. One has to go through a fair number of legal mechanisms to acquire property, and this should be one of them.

On neither of these first two parts, parts I and II dealing with net family property or the matrimonial home, are the rights of common law relations and common law partners really provided for. I would suspect that most people in Ontario would not be aware of that. In fact, the only part of our family law that provides some kind of protection for common law spouses is the part that deals with support, part III.

Therefore, I think we have to pay very special attention to part III. That is all we are offering a partner in a common law relationship. We do not have enough monitoring to be able to know what kinds of judgements may have been made about the provision of support in common law relationships. We should have that information; I hope we will in the future.

### 9 p.m.

This section of the bill still has some gaps. This part calls upon the court to "recognize the spouse's contribution to the relationship...." What does that mean? When it gets to a court of law it means nothing. What is a spouse's contribution to a relationship? That and five cents will not get one anything.

It says the court should "recognize the spouse's contribution to the relationship and the economic consequences of the relationship for the spouse." That sounds better. It sounds as if there may be some recompense for the spouse who may have been at home looking after children or making a home that provides entertainment and a gracious lifestyle for another spouse, but who loses experience, advancement and pension benefits in the paid work force.

What it means is that we will try to address and make recompense for the negative impact of withdrawal from the work force or of a choice of a certain kind of job in order to be with the common law spouse. Nowhere does it say in this section that the courts should give recognition to a spouse's contributions to the relationship in a



positive way, including the direct and indirect economic contribution and the provision of home management and child care. I think we can do better than that in 1985; I think we should, and I hope we will.

Our support section still contains that infamous morality clause. It says that in the provision of support, one of the things the court may take into account is "a course of conduct that is so unconscionable as to constitute an obvious and gross repudiation of the relationship." Guess who is meant by that. Is it the man, the person who is being called upon to provide the support? No, that has to do with the behaviour of the dependent spouse.

If the woman engages in some unconscionable act, a course of conduct that constitutes "an obvious and gross repudiation of the relationship"—if she has an affair—then forget the support; let them go to court and argue about her behaviour. That is what it means. That clause is not directed to the partner who has the financial wherewithal. It is there to allow that partner to argue that the dependent spouse should receive either no support or less support.

We do not know what that clause has meant. I do not know; I do not know whether the Attorney General knows; I do not know whether anybody in Ontario knows what the effect of that clause has been. I have been made aware of cases in which it seems to me to have had an effect on judgement.

**Mr. Sargent:** Which clause is the honourable member talking about?

**Ms. Gigantes:** We are talking about new subsection 33(10).

**Mr. O'Connor:** There have never been cases based on the morality clause.

**Ms. Gigantes:** It may never have been raised in a case, but whether it affected a judgement is perhaps another matter. I am aware of at least one case in which I believe it affected a judgement on support. I will bring that to the attention of the member for Oakville later, if he likes.

**Mr. Philip:** It can also be used as a threat.

**Ms. Gigantes:** It can be used as a threat, as my colleague the member for Etobicoke (Mr. Philip) points out. It is part of the negotiation that goes on. It is there to be negotiated; it is there for the purpose of negotiation. If we do not want it in a negotiation we should take it out; that is what I would advise.

Section 36 is going to need some review, and likely revision, in the light of the proposed amendment to the federal Divorce Act. What is

going to happen at the federal level is that the Divorce Act will not permit time-limited support orders which can say, for example, that a dependent spouse will get support for three or four years. Further, the proposed amendment says the dependent spouse cannot appeal or ask for a variance of that order until the time limit has passed and then only if there has been "a material change in the conditions, means, needs and other circumstances of the party."

Under the Divorce Act, with this amendment in place, the problem that would face dependent spouses who are women, and most are, would be that nothing would have changed materially once the time-limited support order had been met. There would have been no material change. The woman might still be in the position of being dependent and needing support, and the Divorce Act amendment seems to box the situation.

When the bill is in committee I would like the Attorney General to address the question of how he expects this to fit together adequately with the proposed reforms we have in front of us and to seek a change, if possible, in section 36 that will mitigate what I think are the worst features of the amendment to the federal Divorce Act.

I would like to see section 40 strengthened. It says the court may, on application, order that a spouse not deplete property to avoid support payments. Here we come back to the same question I raised earlier. It seems to me we should call upon the court to review automatically the likelihood of the spouse with the greater financial power taking such steps. It is a little late once the assets are gone. There have been cases where it has happened, and there have been dependent spouses who have suffered. For us to have legislation so weak it does not even attempt to address that in an active way seems to me to be failing the tests we have been through with the old bill and seems to me to be a refusal to recognize the reality that these events can occur.

The member for Oakville talked about the question of retroactivity. I find his argument difficult to follow. His argument seems to be that if people have been waiting almost five months to have the bill become retroactive, what we should do is pull the rug out from under them immediately and let them know that all their wait has been for nothing and that the equitable distribution of net family property they had hoped for, and which we are saying they have a right to, should be whipped away. That does not make any sense to me.

9:10 p.m.

He says he knows there are a significant number of litigants who are in a quandary. If they have been in a quandary this long they can be in a quandary for the few more weeks it is going to take us, if it takes us a few more weeks. It seems to me to be absolutely ludicrous for people to argue at this stage that someone who has known since June 4 that the application of this legislation was going to be retroactive to June 4 should now be given a retroactive bonus to avoid sharing assets we are saying should be shared. As far as I am concerned, retroactivity stays.

In closing, I would like to say I am looking forward to the discussion in committee. It is an interesting bill on top of the fact that it is an important bill.

I would like to read into the record the words of Mr. Justice Estey as he commented on one of the more difficult cases that came out of the old law, *Leatherdale v. Leatherdale*, to which I referred earlier. I would like to suggest that we all try to bear in mind these very fine words as we approach our work on the bill. In 1982, he said:

"Family law, more than any other branch of the law, must provide where it is possible simple and clear rules which readily lend themselves to expeditious application in the trial courts. Litigation over family matters is never economic, always a heavy expense and a painful experience. The simpler the rules, the easier their application by the courts; and even more important, the more readily applied by the legal advisers to the members of the family, who must always strive to settle family differences without recourse to the delay, expense and pain of court proceedings."

I think that goal is one we can hope to achieve in this bill. I look forward to our work on it, and I hope we will reach that goal.

**The Acting Speaker (Mr. Morin):** The member for Scarborough-Ellesmere.

**Mr. Warner:** Thank you, Mr. Speaker.

**Mr. Sargent:** Mr. Speaker, on a point of protest: I want to say that this lady's presentation should be taken with the greatest interest by this House. I appreciate it very much.

**Ms. Gigantes:** The member is so gallant.

**Mr. Warner:** He always is.

Does the member for Carleton-Grenville (Mr. Sterling) want to participate? Since we normally go by rotation, I will yield the floor to my colleague the member for Carleton-Grenville.

**Mr. McClellan:** I have his speech from 1978. He had better be careful.

**Mr. Sterling:** I will be careful. In 1978, I had the privilege of carrying the Family Law Reform Act of 1978 through the committee stage. At that time the then Attorney General had a problem with his back and could not sit through the very lengthy debate at the committee stage. I hope our present Attorney General does not have the same problem when this gets to the committee stage, because I think it will require his full attention.

Before going into a few remarks, which I will keep brief, I would like to acknowledge that some of the people who were involved with drawing up this legislation were also involved with drawing up what I consider to be the historic legislation of 1978, the Family Law Reform Act.

It was historic because, as some of the previous speakers have said, it dealt with putting into statute form what had been accumulated over a number of years—I guess 100 years—of common law. In setting it down in statute form, at the committee stage we had to consider the decisions the courts had made. However, we also had to consider various social and moral values that we as legislators wanted to put down on paper. That was a very difficult task.

Craig Perkins of the Ministry of the Attorney General has been involved with this as much as anybody else, along with Allan Shipley. I understand Michael Cochrane has also been working on it recently. I want to congratulate each and every one of them, along with the legislative counsel, Cornelia Schuh, on the fine work in the draft of this bill. No doubt their work will be under the scrutiny of the committee when this bill—I presume it is going to committee—reaches that stage.

The Family Law Reform Act and this act to revise it will probably be the most litigated piece of legislation in Ontario. Therefore, when we sit down as legislators to go through the particular sections, it is important for the Attorney General to take a significant amount of time on each and every part of the bill. He can be certain, as was the case in the past, that there will be litigation surrounding each and every section of the bill; that probably will include all the definitions as well as the other parts of the bill.

I urge him to take what I considered at that time to be a nonpartisan approach. I was supported very strongly by people such as Margaret Campbell in the Liberal caucus and the member for Ottawa Centre (Ms. Gigantes) and Jim Renwick in the New Democratic Party caucus.

**Mr. Sargent:** Do not forget me.



**Mr. Sterling:** Okay. Unfortunately, the member for Grey-Bruce was not on that committee, as I recall. Was he on that committee?

**Mr. Sargent:** Yes.

**Mr. Sterling:** Oh, he was? I am sorry. I thank the member for Grey-Bruce as well for his contributions.

Generally speaking, it worked out better that we were sitting in a minority parliament dealing with the legislation, because it is not a political piece of legislation, nor should it be. Each and every member of this Legislature has had people come into his or her office, be they male or female, who have been totally distraught over having gone through the trauma of a separation or a custody fight—which is probably the most disastrous of all—perhaps eventually leading to a divorce. We are not discussing that today, but we are dealing with the nuts and bolts of a matrimonial breakdown.

As the minister goes through these issues, it is important that they be laid out. He can draw on the expertise of people such as the member for Oakville, who has had a lot of recent experience in this area. I am certain the minister will do that. We are most fortunate to have someone of his calibre dealing with this issue, because he has had this recent experience.

As the minister goes through the act, he should try to explain the practical effects as well as what appear to be the political effects of the section.

9:20 p.m.

One of the things I have always been concerned about is the enforcement of anything the court does in a particular situation. Going back to my days before being elected, I was always upset, and I have been upset since the coming forward of many constituents to my office, about the enforcement of orders. I do not know whether what the minister is proposing in the bill is satisfactory or unsatisfactory, but if he is going to monitor the bill as suggested by the member for Ottawa Centre, that would be the area that might be as easy as any other area to monitor.

I do not know whether it is possible to monitor decisions of the courts as to whether they are deciding on a 50-50 basis or a 40-60 basis or who gets what kind of support over a long period of time. If one is involved in these situations, one learns that each and every situation is different from the next. If a lawyer has 100 cases walking through the door, he soon realizes it is very rare for two to be alike.

Having looked back at the 1978 legislation and then looking at this bill, I think the 1978

legislation has not done too badly, considering that the drafters were basically starting from zero in Ontario when they put that piece of legislation down. Some problems and concerns were expressed back in 1978 which did not prove to be valid. I expressed some concerns during that debate in committee. However, I think a lot of those concerns have been addressed in the present Bill 1.

As long as the process is gone through fairly carefully and as long as the public and the people who are involved in the enforcement of the sections of the bill have an opportunity to express their opinions about it, then we can have a very decent piece of legislation. I do not think the Attorney General has exhibited to this date the kind of attitude whereby he would turn a deaf ear to amendments that are reasonable, practical and would make the bill even better than I think it is at this stage of the game.

I do not know whether I will have any opportunity to sit on the justice committee when this is going through it. Maybe I should not sit on the justice committee when this is being considered, if it in fact goes to the justice committee. After the eight years of legislative experience since that time, I might have to take some stands that are somewhat different from those I took then, but that usually does not bother me. Any way, I will be most interested in the progress of the committee and I will, of course, serve on the committee if asked.

**Mr. Warner:** I appreciate the opportunity to participate in the debate. Before beginning, I have a couple of observations. If I am not mistaken, this is the first bill the Attorney General has brought into the House. He must be particularly proud of this achievement and particularly pleased to have the opportunity to introduce some reform measures. The Attorney General has a reputation that goes before him of being not only a brilliant lawyer but also a person who listens and who is very sensitive to social issues. That reputation certainly is well known and has preceded him into this chamber. It is particularly fitting that this be the first bill introduced into the Legislature, Bill 1.

It is a bill that has to be viewed not as an individual piece of legislation but as part of a continuum. It is part of the development of family law. It grows out of a tremendous need to civilize our relationships. It grows of a tremendous need to provide equality for women in our society. It is part of that continuum and it is not the end product. I think the Attorney General will admit that. It is part of a change, but it is not the

final answer. At the same time, the law is not a dead thing either. The law is a living thing and it changes, and this law and the Family Law Reform Act will change over time as well.

I also noted within the chamber over a number of years, that there has been a nice change. People who are not lawyers feel a little more willing to participate in debates on what some would view essentially as lawyers' matters. This bill is not a lawyer's matter per se. It is couched in legal terms, as it must be, and the end result is that it will be dealt with by the courts, but it is a bill which belongs to everyone in the province. All members should feel they are able to participate in the debate on it.

I listened very closely to the comments of my colleague the member for Ottawa Centre, our critic for the Ministry of the Attorney General. She made some extremely intelligent comments on the bill, and a number of suggestions which I assume the Attorney General will take seriously and will ponder, and will then come back with some response.

There are a couple of things which are extremely important with respect to the principle of this bill. I come to that by way of a very real case with which I am currently attempting to deal. I beg the indulgence of the Attorney General and the House for a few moments as I unfold this tragic story.

A lady appeared in my office and at the outset it seemed that what she required was some answer to a housing problem. As we started to unravel the story, it turns out that she is a woman who has four children, all of whom are of school age, the two oldest being in grade 13 and college. None the less, the four of them are dependent on a parent or parents.

Until the marriage broke down, she was at home minding the children, trying to raise the children, trying to help them with their homework and all of the normal things women in the home attempt to do so well and usually without any recompense.

The marriage broke down. She was able to obtain some part-time work, and then later full-time work. The full-time work was in one of these magnificent banks we know are so famous for paying well. She showed me her paycheque. Her full-time employment was grossing some \$13,000 per year at a very responsible job. On \$13,000 she was supposed to raise four children and pay for her housing, and the rent was very high. With four growing children they required several bedrooms. She could not make ends meet.

The obvious question is where is the husband in all of this? I inquired. The husband had decided that after 20-odd years of marriage he would prefer someone who was somewhat younger and so he found someone and away he went. He had a business and it was a very prosperous business. My instinct was we know the Family Law Reform Act and there should be a sharing of assets and this will help to solve her economic problems. It is not quite that simple.

The husband had taken his business and put it in the name of the woman with whom he was now staying and had declared bankruptcy. For all intents and purposes in the courts, he had no money. The woman with whom he was staying was managing the business, but there was no formal relationship between those two people. My constituent is left without any claim.

**9:30 p.m.**

She did manage to get support payments agreed to by the court and prescribed, but his response was, "I will pay them if I feel like it." One month she would get a payment and another month she did not. Sometimes it would come two or three months in a row and then nothing, because it was as he felt like it. I know there is a companion piece of legislation, Bill 14, which addresses this very real problem. I understand that, but I am dealing with her problem today. That is a backdrop to the principle of this bill and what we are attempting to do.

This woman, living in my riding, at this point is put into a very untenable position. She cannot count on the support payments, and apparently she has no way of obtaining what should rightfully be 50 per cent of their marital relationship. However, she is left with four children, all of whom she is attempting to obtain a first-class education for so that they will be on their own.

It is a magnificent family. The children have said to her: "Hang in there. Somehow we will scrape by and in another year one of us will be working. We will share the money that we get." All of them are attempting part-time jobs, trying to share the work and help their mother. It is a tremendous family effort. She has great children, and the five of them are struggling along nicely.

Meanwhile, this irresponsible clod is really enjoying himself. He is off on little vacations. He has the source of the money, but she cannot get her hands on any of it. That disturbs me greatly.

What has to happen, through this bill and through Bill 14, is that we have to answer that problem. I listened to my colleague the member for Ottawa Centre, and I am not sure this bill



entirely addresses the situation my constituent faces. I may be wrong. If I am, I would greatly appreciate the Attorney General so indicating.

There is another aspect of this that I hope we can address as we go through. I have wrestled with it and part of it is language. We use the word "dependent," and that usually means the wife is dependent on the husband. "Dependent" is a word that bothers me, because if we believe in family law reform we believe in an equal sharing or equality. We have to find ways to deal with the language and ways of changing it.

Another word that bothers me is "support." We talk about support payments. I would prefer to use the term "responsibility" payments, because I think it is the responsibility of the partners to make payments. The notion of support means that woman is still dependent on the man. What happens if he decides that he is not going to support her? For whatever reasons, they have terminated their relationship as far as living together is concerned. They still have a financial relationship and that is built on mutual responsibility. I prefer to call it responsibility payments.

As we work our way through family law reform, not just in this bill but in subsequent bills which will follow over the years, we have to address the language we use. I hope we can eradicate the whole notion of dependency and one spouse having to support another.

I know other members wish to participate in this debate. In closing, I support the principle of the bill. I do not think the bill is fatally flawed. The Attorney General will be relieved to know that the spirit of co-operation, which seems to prevail in this chamber on occasion, will continue to prevail with respect to this bill and that between the three parties we can come up with the kinds of positive changes which are required in the bill, at least from my perspective. With the three parties working together we can create an excellent piece of legislation of which all of us will be proud, but which, more important, will serve the public of Ontario extremely well over the next while.

**Mr. D. R. Cooke:** We newly elected members of the government party are anxious to have as much legislation passed as quickly as possible and to get this bill into committee, so I am going to be very brief.

A number of points have come to my mind over the course of this debate. I believe Ann Landers once said—and she took a poll before she did so—perhaps the most difficult thing in life is a matrimonial separation, over and above even the death of a loved one. As a result, it is extremely

difficult sometimes to work through the problems of family law that result from separations that may occur.

Like the member for Oakville, I have practised a great deal of family law over the course of a similar period. I suppose because of the law to some extent, I have preferred to practise criminal law, especially in recent years. That does not need to be the case if we have a fair and equitable family law. I compliment former Attorney General Roy McMurtry for first introducing this legislation and the present Attorney General for endorsing it, because by and large it is valuable.

However, the important thing we have to consider when we are looking at family law is equity. As legislators, we have to leave as much as we conceivably can to the judge to look at the circumstances of the specific situation. All is not wrong with the male spouse; all is not wrong with the female spouse. Circumstances vary in different situations.

I think it wise that we update these rules. I accept generally the widened meaning of family assets. That is a very important and wise decision to make. I believe it important to consider contracts, so that they can occur during the course of the marriage.

I would suggest the administration is also very wise to include mediation as part of the legislation. Mediation occurs to a large extent now and it may be that mediators can accomplish what cannot be accomplished by a judge in the formality of a courtroom; it should be incorporated into the legislation.

As well, the registry of orders is important. I believe this occurs now to some extent in some other provinces and it is working well.

I suggest we should not emphasize only the problems of support, as the member for Ottawa Centre has. Registry and enforcement can apply as well with regard to access. I suppose it is usually the case that it is the father who is seeking access and who feels he has been cheated of what is rightfully his. He should be aware that with the passage of this legislation he will have better means of receiving administrative assistance in obtaining access than perhaps he had in the past.

**9:40 p.m.**

In our area we have a very active and vocal organization called Fathers for Justice. I do not always agree with everything it does. It is of the view that the pendulum has swung too far, I suppose particularly towards the rights of the mother in custody and support matters. They are a little too aggressive for my liking, but we should be aware that they exist. They are

concerned and they are anxious, perhaps because of some recent judgements that in their opinion have not taken the rights, as they feel they are, and the considerations of the father into consideration before they are made.

This is another reason that when we consider this legislation we should look as carefully as we can at leaving as much power as possible to the judge to look at the particular factual situation. The operating word, I would suggest as this matter goes to committee, has to be discretion.

I agree with the member for Ottawa Centre that monitoring, to the extent it is feasible economically, is a valuable activity. I agree with the member for Ottawa Centre and not with the member for Oakville that the matter should be retroactive. I would suggest that we leave in subsection 33(10), because whatever that means is up to the judge, it is up to the judge to apply it in individual circumstances.

The member for Carleton-Grenville said that no two cases are alike. Again, discretion is the most important thing. Let us take this, get it on into committee and catch up with the realities and the needs of family courts today.

**Ms. Bryden:** I welcome this bill and, along with my colleagues, I support it; but it is very long overdue. I sat on the 1978 committee in which Bill 59 was considered. As is the case with all new legislation, one does not see all its flaws at the beginning, but very soon after it was proclaimed many loopholes started to show up. However, we waited for seven and a half long years for a revision from the previous government, even though "promising" Roy McMurtry kept telling us from 1982 on that he was reviewing it and that he was going to bring in a new law. That government never got around to it until the deathbed session, when Bill 1 suddenly appeared just before the government changed.

It is regrettable that thousands of women were denied a just share of the assets accruing to a marriage during those seven and a half years, particularly after the loopholes had been discovered. The Leatherdale case, which was mentioned by my colleague the member for Ottawa Centre, indicated that the law did not recognize the contribution of a wife in the home. When she tried to collect her share of some Bell Canada shares and a registered retirement savings plan owned by her spouse, she was allowed to collect only an amount that had accrued during the period when she was working. She was not working for half of her married life, so she got only about a quarter of the husband's assets in that field.

The Stoimenov case, which has also been mentioned, was another one in which a woman was deprived of her matrimonial home because the husband swore a false affidavit that he was not married and, therefore, there was no matrimonial home, and then put huge mortgages on that house.

In 1983, I brought in a private member's bill to rectify those two situations, but the government of the day, the Conservatives, rejected that bill. They could have brought in their own bill to rectify that situation back in 1983.

In 1984, the member for York South (Mr. Rae) put a motion in Orders and Notices calling for a revision of the Family Law Reform Act along the following lines:

"That in the opinion of this House the Family Law Reform Act should be amended to eliminate the present artificial and inequitable distribution between family and nonfamily assets and to replace it with a system of deferred community property which would recognize both spouses as equal in the partnership and give adequate recognition to the contribution of homemakers so that an equal sharing of all property and debts acquired during marriage, excluding therefrom gifts, inheritances and property acquired by either spouse prior to the marriage."

The member for York South was following the recommendation of the Ontario Law Reform Commission in 1974 in regard to community of property. This bill also accepts the recommendation of the commission, but it did not happen until there was a deathbed repentance.

I find it rather surprising to see Conservative members getting up to say this is very important and necessary legislation when presumably Mr. McMurtry could not get it through the cabinet for the seven and a half years during which the flaws were starting to show up. The election appears to have brought them kicking and screaming into the modern world where marriage is recognized, or should be recognized, as a partnership. They only gave lipservice to the principle beforehand.

The preamble does say that the objective of the bill is to "recognize the equal position of spouses as individuals within marriage and to recognize marriage as a form of partnership." The actual working-out of the bill indicated this was not provided for in the bill; so we need these amendments to bring the bill into conformity with its preamble.

I would like to pay tribute to family law lawyer, Linda Silver Dranoff, who started in 1983-84 to circulate petitions calling for the concept of deferred community of property. She



formed an organization called the Justice Committee for Family Law Reform and she educated a lot of people as to the kind of law that was needed for the fair sharing of all assets.

In 1978, the New Democratic Party members of the justice committee did actually try to bring in an amendment which would have required all assets to be covered by the law, but we were voted down by both the Liberals and the Conservatives at that time. It seems they have both suffered a change similar to being struck on the road to Damascus.

There are some very good amendments in this bill such as the indexation of support orders according to the consumer price index; the enforcement of support orders against pension assets; the right to obtain exclusive possession of the matrimonial home under certain criteria that are set out in section 25, and the provision for court appointment of mediators. That has been mooted as a possible answer to some family breakdown situations, but there was no specific provision for it in the previous act.

**9:50 p.m.**

Other forward steps are the improved requirements for the enforcement of domestic contracts which are provided for in the act as part of the possible arrangement between husbands and wives and the bringing-in of the rules for determining a child's domicile which conform to the Charter of Rights and Freedoms.

The main problem with the previous act, outside of its denial of the coverage of all assets, was that too much was left to judicial discretion. We must make sure the new act very carefully defines what are considered unconscionable circumstances in which judges may vary the distribution of assets provided for in the act. The distribution is supposed to be on a 50-50 basis. It should not be varied except under very extreme and unconscionable circumstances which are carefully spelled out. The definition of property should be expanded to include pension income as property. That is not spelled out.

The previous government used to tell us that we were so far ahead of other provinces in our family law bill that the delay was not really a problem; we were still very far ahead. That is the typical Tory reaction. When it does not have a good excuse for not doing something, it always resorts to bombast about Ontario's laws being so far ahead of the laws of other provinces. That was the former Attorney General's favourite device to stave off questions about when his new law was coming in.

In actual fact, for a number of years, at least four other provinces have had the family law apply to all assets acquired after the marriage. We simply have not been in the forefront. We have been dragging our feet. The only way to change that appeared to be to change the government. I hope the surviving members of the former government, who sit to my right, have also changed and will vote for this bill.

We might ask why the Attorney General of the previous government and the cabinet stalled so long.

**Mr. Philip:** He could not bring his colleagues around.

**Ms. Bryden:** Who was he protecting? Was he listening to the thousands of aggrieved women who were not getting a fair share of assets, who were not having their contributions in the home recognized as part of their contributions to the family assets? Was he listening to the voice of women's groups representing hundreds of thousands of women, who also said that it was only fair that all assets acquired during the marriage should be shared? Was he listening to his own government-appointed Status of Women Council, which was also telling the government that this was a long overdue reform and there was a great injustice being put upon women under the so-called equality sections of the family law?

It appears that he was not listening to those voices. I hope the new, more open government, which is to come under the NDP-Liberal accord, will mean that those voices will be listened to and that they will be responded to by legislation which meets the needs of the majority in this province.

The record of the length of time we have had to wait for this reform has been shameful. I am very glad to see that the bill has finally been brought forward. I hope it will be passed speedily.

**Mr. McClellan:** I do not want to take a lot of time. The hour is late, the attention is flagging and I know the Attorney General is anxious to have his first major piece of legislation concluded. However, it would be irresponsible of me not to make a few historical comments on the bill in front of us here tonight.

Some of us have been around this circle before. I simply want to remind the House, as I speak in support of the principle of Bill 1, of the long and protracted debates that were held in this House in 1978 on the question of equal division of assets.

I recall very clearly, as though it were yesterday, when my colleague Ted Bounsall moved his amendment to section 3 of the bill,

setting out a definition of family assets and the mechanism for an equal division, which he succinctly expressed in the formula "add it up and divide by two." What howls of outrage came from the ranks of the then-governing party and, I must say, from the Liberal Party, which at that time was the official opposition. They howled and yelled as though this were an assault on the very fundamentals of our economic system, that it would bring the entire edifice of free enterprise crashing down around our heads.

**Mr. Mancini:** Is this the same speech you made last time?

**Hon. Mr. Bradley:** Is this the party of the past or the party of the future?

**Mr. McClellan:** I simply want to rise and applaud the conversion of my colleagues opposite, but I also want to stress what a fundamental conversion has taken place. The position has changed 180 degrees. I have spent the evening listening with one ear to the debate that has been taking place and with my eyes I have been reading the debates from 1978.

How wonderful it was to reread the attack on the notion of equal division of assets by Mr. Roy, Mrs. Campbell, the member for Niagara Falls (Mr. Kerrio), Mr. G. Taylor, Mr. Williams and Mr. McMurtry.

**Mr. Foulds:** Some of them are not with us any more.

**Mr. McClellan:** Some of them are not with us and some of them are still with us. All of them expressed the view that the notion of defining marriage as an equal partnership and of instituting the equal division of assets was an impossibility. How much better it would have been if all of that reactionary rhetoric had been stifled seven years ago. We had the opportunity seven years ago to bring in a piece of legislation that could have made genuine partnership possible and a rational division of assets a reality and spared many hundreds and probably thousands of women the kind of injustice and suffering they have experienced since 1978.

I simply say that en passant for the purposes of the historical record and not to be mean or to cavil at all. I want to applaud the Attorney General.

Interjection.

**Mr. McClellan:** I am not finished yet. Hold on a moment.

**Mr. Sterling:** Mr. Speaker, may I ask—

**Mr. Speaker:** A point of order or a point of privilege?

**Mr. Sterling:** May I ask the present speaker a question?

**Mr. Speaker:** That is up to the person speaking.

**Mr. McClellan:** No.

**Mr. Sterling:** Mr. Speaker, may I rise on a point of privilege? For a point of clarification, I think the present speaker should acknowledge that the members of his caucus agreed with the other committee members to the division of assets as contained in the bill of 1978.

**Mr. Speaker:** Order. The member for Bellwoods (Mr. McClellan) has the floor.

10 p.m.

**Mr. McClellan:** It is wise of you, Mr. Speaker, to rule this kind of unruly interjection out of order. Nip it in the bud, I say.

My colleague the member for Windsor-Riverside (Mr. D. S. Cooke) moved an amendment to clause 3(b) of the old statute which was supported by Mr. Renwick, Mr. Lawlor and all members of this caucus in the debates of March 7 through March 10, 1978. To those who have a morbid interest in the historical, I commend that debate.

I have said all I wanted to say. I applaud the initiative of the Attorney General in bringing forward a bill that does address the problem. I am sure we will have some interesting discussions and debates as we move into committee and try to make this the finest piece of legislation it is possible to craft, and I am sure my colleague the member for Ottawa Centre will have a great deal to contribute to that debate.

**Mr. Philip:** The other day I was reading something that perhaps members have not recently read—

**Hon. Mr. Bradley:** The comics.

**Mr. Philip:** Some members on that side of the House may be reading the comics if they have nothing better to do at their cabinet meetings. I was reading some of the sermons of a great historian and theologian by the name of Görres. Görres had an interesting sense of theology and evolution coming together and the fact that somehow progress was made through a dynamic intercourse of ideas and history progressed in a positive manner.

As I read the debates of March 1978, I had the sense that maybe GJrres was right. It was only a few months ago that I rose in the House to talk about the Metropolitan Toronto Police bill. We saw that many of the things we had said on that bill suddenly came out as reforms by the Attorney General and history was made and progress was made.



I look at the debate of March 16, 1978. On third reading there was only one speaker and it was me, as chairman of the committee. I gave a speech that lasted exactly two paragraphs. I said at that time:

"There's no doubt that this bill has taken a major step forward. The sections concerning the matrimonial home, marriage, marriage contracts and support obligations are certainly desirable, enlightened and welcomed by all members of the House."

As chairman of the committee that struggled with the bill, I had some satisfaction that a lot of progress had been made at that time. However, I went on to say:

"I have listened closely to the arguments on all sections of this bill and I am disturbed by the conduct clause which is still being left in the bill. I am incensed by the injustice of the division-of-assets section of the bill. I feel so strongly about the need for a more equitable distribution of assets that for me to vote for the bill on third reading will be unconscionable."

With that short speech, all members of this party voted against the bill primarily and almost exclusively on those two items. To his credit, the Attorney General—no doubt with some influence from the former Attorney General, who I think wanted to go in a progressive way but was delayed by his colleagues at that time—has recognized that a major problem that we in conscience could not vote for in the bill at that time had to be removed, and this bill does it.

There are some changes and some clarification, and my colleague the member for Ottawa Centre has made what I am sure will be acceptable suggestions to the minister concerning pensions and expansion of the definition of assets. I think that will be cleared up in committee.

A major problem we had in supporting the bill at that time has now been rectified. I suggest the other major reason we voted against the bill should similarly be removed from this bill.

I compliment the minister on the bill, and I look forward to discussing this in greater detail with him during committee consideration.

**Hon. Mr. Scott:** I would like to thank the members of all parties who have participated in this debate for their useful and thoughtful contributions. In particular, I want to seize the opportunity that has been given to us by the member for Carleton-Grenville, who suggested our approach to a bill of this type in this House should be nonpartisan because the issue of family

law and family law reform is so important to almost all the people in the province.

That has been the tradition of this House from the reform of 1978 up to the present. It is no accident that in 1985 this bill might have been introduced by any of the parties here. I am glad I have the honour of piloting it through the House, and I look forward to the very useful contributions I am sure members will make in committee in that same spirit. We have here an opportunity in a nonpartisan way to do a good, useful and progressive thing that will, perhaps more pointedly than any other legislation, affect thousands of our fellow citizens in a beneficial way.

The members opposite have pointed out that the major feature of the bill is the provisions that relate to the division of property. We have had some useful comments from the members, particularly the member for Ottawa Centre, about some of the implications of that which we propose to deal with in committee.

I draw the attention of the House to the observations made by the member for Oakville about the starting date, which was proposed as June 4. We intend to listen carefully to what is said in committee about the starting date, but at the moment I should tell members of the House we are committed to that date as a matter of policy. That was the date announced in the initial bill, and parties in litigation since June 4 have had in mind that the bill contains that provision. It seems to me only an emergency would justify a change in a provision upon which actual litigants have since relied. The policy of the government, therefore, while never absolutely inflexible in a minority situation, will be to support the June 4 starting date.

I have a number of modest amendments and a few significant amendments to be made to the bill in committee, some 40 in all, which shows it is still possible to improve substantially on the work of the late government, which we hope to do. I will be providing copies of some 40 amendments to members through a reprinting of the bill with the amendments underlined, and they will be introduced in committee in due course.

The most substantial of the amendments relates to what happens in the case of a death of one of the spouses. As the bill is now drafted, in some circumstances the surviving spouse would be entitled to the benefits of the matrimonial property division under the bill in addition to any financial provision made by the will of the deceased. It is my intention to introduce an amendment that will permit the surviving spouse

to make an election between those two alternatives, rather than have the cumulative effect of both the division under the act and the testamentary benefit. It seems to me that is more consistent with the general spirit of the legislation and, therefore, that amendment will be made.

**10:10 p.m.**

The member for Ottawa Centre made references to subsection 33(10) and indicated she was aware of cases in which a court had used conduct in a support case to obtain an inappropriate result. I am not aware of any such cases, and I rather share the opinion of the member for Oakville on that subject, which I think was expressed during the course of her remarks. I would be delighted to see any such cases and I would be grateful and would expect her to produce them if there are any.

I would like to make a number of other comments about some of the precise observations the member for Ottawa Centre made. Most of them can be left for committee, and that is what I propose to do. I note, however, a couple that are important.

My friend suggests the bill is defective because it does not refer expressly to the sharing of pensions. As she will see, the bill provides for the sharing of all property of any nature. Those broad words clearly include all property of any nature, and included in all property of any nature are, of course, pensions. I believe the amendment that concerns her is unnecessary, though I will be delighted to consider it afresh.

The honourable member also expresses her concern that homemaking and child care are not a factor in property-sharing. Technically speaking that is correct, but the whole thrust of the bill is to provide for an automatic division in which such considerations will not come into play to ensure a 50-50 division.

She makes a number of other comments that I think on reflection she will be able to be satisfied about, such as interest. Interest is, of course, provided under the Courts of Justice Act, and with respect to the ruination of assets, I think an examination of the sections there will show that her concerns are met.

She also makes reference to the matrimonial home. In this connection we take the view that third-party creditors for value should not suffer in the fight between husband and wife. Obviously, if they did suffer, it would be virtually impossible to get any mortgage of any type on a matrimonial home, because the mortgage lender would always run the risk that the husband and wife

dividing their asset would be able to take precedence over his share.

I want to thank all members for the thoughtful comments they have made on the bill. As I say, we have an opportunity here, which we do not always have, to do something useful, productive and worth while for thousands of our fellow citizens all across the province, and I will be delighted to consider the suggestions the honourable members have made as fairly and as openly as I can in committee in the hope and expectation that the combined efforts of all of us can make this the best possible bill.

In closing, I want to acknowledge on behalf of the staff of my ministry the very kind comments that were made by the member for Carleton-Grenville, particularly in relation to Mr. Perkins and Mr. Shipley. Though I have not been in the ministry long, I have come to value their judgement and their opinion profoundly, and on their behalf I want to thank the member for his kind comments.

Motion agreed to.

Bill ordered for the standing committee on administration of justice.

#### EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 7, An Act to amend certain Ontario Statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms.

**Hon. Mr. Scott:** I am pleased to have the honour to move second reading of this bill which was introduced by the previous government and which we have adopted. The function of this bill is to bring Ontario statutes—there are a number of them—into some measure of conformity with the equality rights contained in section 15 of the Canadian Charter of Rights and Freedoms and into conformity with provisions of the Human Rights Code of Ontario.

Most of the amendments in the bill deal with statutes which discriminate on the basis of age, sex, religion and marital status. This government has committed itself to eliminating all forms of discrimination and to working towards a more just and equal society. We are proceeding with the statutory amendments in Bill 7 as a necessary part of the commitment, but we realize the bill is only one step, the first step, in the process of ensuring that our laws and practices conform.

We know that to get real effect for the rights guaranteed by section 15, we cannot interpret equality in a narrow or technical way. Discrimination which is not overt and not intentional must



also be addressed. We must look beyond the letter of the law to the actual effects on individuals of government action. Although this is always a difficult and complex undertaking, it is one this government and this ministry are fully committed to carrying forward.

This government has already announced its intention to promote equality through other measures. We are preparing legislation to ensure equal pay for work of equal value, and we will be introducing pension reforms which will eliminate sex-based mortality tables. We have also announced our plan to give financial assistance to women who wish to bring court cases to enforce their rights to equality under section 15. We hope that where litigation cannot be avoided, this fund will contribute to the realization of those rights.

Our commitment to these principles will be evidenced by the addition of a number of items to Bill 7 which I intend to make in committee. Among these will be the repeal of subsection 19(2) of the Human Rights Code, a provision which now isolates from challenge, acts of sex discrimination in sporting activities. This kind of absolute barrier, which does not take into account the abilities of women, has no role in the Ontario of the 1980s. I would ask the members to consider the provisions of this bill and enact it as quickly as possible. The equality rights guaranteed by section 15 of the Charter of Rights have been in force since April 17 this year and the amendments incorporated in the bill, in my respectful opinion, are long overdue.

**Mr. O'Connor:** Again, on behalf of our party, I indicate our full endorsement for the package of Bill 7. To a great extent, as the Attorney General (Mr. Scott) has indicated, it is a housekeeping provision to bring into conformity many of Ontario statutes with the provisions of section 15 of the Canadian Charter of Rights and Freedoms.

A quick perusal of the bill indicates there are 110 or 112 statutes which are being amended by this single bill to do away with what has existed in most cases as minor discriminatory sections.

**10:20 p.m.**

In addition to commending the Attorney General for bringing this forward, I would be remiss if I did not commend the staff members in the Ministry of the Attorney General who have devoted hundreds of hours of work towards putting together this bill. It must have been a considerable undertaking for whoever did it, to have to scour the entire realm of statutes in the Revised Statutes of Ontario and to read literally each section of every statute to determine

whether it would require some amendment to bring it into conformity with the charter.

It is easy for the Attorney General, myself and others to stand and commend this bill with our stamp of approval. The work has really been done by the civil service in this case and it is to be commended. We support the bill and will be doing so in all its phases.

**Ms. Gigantes:** On behalf of our caucus, I would like to indicate our support for Bill 7. Did I understand the minister to say he wished to send this bill to committee?

**Hon. Mr. Scott:** Committee of the whole House.

**Ms. Gigantes:** In that case, perhaps we should have a little discussion of the bill so that our discussion in committee of the whole, when it comes, can be complete. If it is to move to committee of the whole, I would like to indicate some sections that I am sure would interest the members as to exactly what measures are being proposed and the significance they will have for society in Ontario over the next few years, the next decade, as we live in line with the charter.

**Ms. Bryden:** I was very pleased to hear the Attorney General say he was going to piggyback on this bill his repeal of subsection 19(2) of the Human Rights Code, which might be called the Justine Blainey section after the girl hockey player who wishes to play hockey but is barred under subsection 19(2). I hope it will get passed in time for her to play this season in the hockey league of her choice.

I would also like to ask the Attorney General whether he has considered dealing with discrimination against part-time workers in community colleges who have discovered they are not covered by any of the collective bargaining legislation—the Labour Relations Act, the Crown Employees Collective Bargaining Act or the Colleges Collective Bargaining Act. Therefore, they are out in limbo as far as their human rights go. I am sure the Charter of Rights would not consider that acceptable treatment of one class of employees. It appears an amendment to the schedules to those three acts is necessary to bring that group into a position to exercise its right to collective bargaining.

I would also like to comment that this omnibus bill to remove all the discriminatory clauses came in extremely late in the process. Governments have had three years since the charter was adopted to search out those discriminatory factors. The previous government dragged its feet on that as well. As a result, the bill is coming

in long after section 15 of the charter was proclaimed.

People who have been discriminated against in some cases have had to go to court prior to this bill being passed. A lot of the court cases could have been eliminated if the bill had gone through before the section was ready for proclamation. I think the government was not doing its job of looking at the charter and the discrimination in its own statutes to be ready for the proclamation of that section of the charter.

**Mr. Sterling:** I want to indicate my support generally for this bill. I have one question of the Attorney General. When he goes to committee of the whole House, will he be introducing any amendments to look at the discrimination contained in Bill 30, which is currently being considered?

Motion agreed to.

Bill ordered for committee of the whole House.

#### MOBILITY RIGHTS STATUTE LAW AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 8, An Act to amend certain Ontario Statutes to conform to section 6 of the Canadian Charter of Rights and Freedoms.

**Hon. Mr. Scott:** I draw to the attention of the House that Bill 8, the Mobility Rights Statute Law Amendment Act, is designed to give effect to the charter provision respecting mobility rights that essentially will ensure that all Canadians, wherever they may come from, are free to work in Ontario. The bill illustrates the province's commitment to enforcing charter rights in this jurisdiction.

On motion by Ms. Gigantes, the debate was adjourned.

The House adjourned at 10:26 p.m.



## CONTENTS

**Tuesday, October 22, 1985**

### Second readings

<b>Municipal Elections Amendment Act</b> , Bill 27, Mr. Grandmaître, Mr. Sterling, Mr. Breagh, Mr. Haggerty, agreed to .....	1017
<b>Family Law Act</b> , Bill 1, Mr. Scott, Mr. O'Connor, Ms. Gigantes, Mr. Sterling, Mr. Warner, Mr. D. R. Cooke, Ms. Bryden, Mr. McClellan, Mr. Philip, agreed to .....	1019
<b>Equality Rights Statute Law Amendment Act</b> , Bill 7, Mr. Scott, Mr. O'Connor, Ms. Gigantes, Ms. Bryden, Mr. Sterling, agreed to .....	1034
<b>Mobility Rights Statute Law Amendment Act</b> , Bill 8, Mr. Scott, adjourned .....	1036

### Other business

<b>Adjournment</b> .....	1036
--------------------------	------

## SPEAKERS IN THIS ISSUE

Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
 Breagh, M. J. (Oshawa NDP)  
 Bryden, M. H. (Beaches-Woodbine NDP)  
 Cooke, D. R. (Kitchener L)  
 Foulds, J. F. (Port Arthur NDP)  
 Gigantes, E. (Ottawa Centre NDP)  
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
 Haggerty, R. (Erie L)  
 Mancini, R. (Essex South L)  
 McClellan, R. A. (Bellwoods NDP)  
 Morin, G. E., Deputy Chairman and Acting Speaker (Carleton East L)  
 O'Connor, T. P. (Oakville PC)  
 Philip, E. T. (Etobicoke NDP)  
 Sargent, E. C. (Grey-Bruce L)  
 Scott, Hon. I. G., Attorney General (St. David L)  
 Sterling, N. W. (Carleton-Grenville PC)  
 Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
 Warner, D. W. (Scarborough-Ellesmere NDP)





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No. 29

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 33rd Parliament**  
Thursday, October 24, 1985  
Afternoon Sitting

Speaker: Honourable H. A. Edighoffer  
Clerk of the House: R. G. Lewis, QC

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## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 24, 1985

The House met at 2 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY ANNIVERSARY OF UNITED NATIONS

**Hon. Mr. Peterson:** Today marks a historic day for all nations that strive for world peace. October 24 is, as many honourable members are aware, the anniversary of the United Nations, one of our most cherished international institutions.

As we pay tribute to this important organization for the crucial role it has played in attempting to maintain world peace and stability, it is fitting to recall the pledge taken by the UN member states when they ratified the founding charter of the United Nations some 40 years ago. It is equally fitting to remind honourable members now how timely this pledge still remains today, despite the passage of time.

The members of the United Nations undertook a solemn pledge to maintain international peace and security and to co-operate in establishing the political, economic and social conditions that are conducive to achieving this noble objective. But as members are only too well aware, it is a sad commentary on the world we live in that peace, which we all so eagerly desire, is so fragile and difficult to maintain.

In this regard I would like to cite the eloquent and most appropriate words spoken yesterday by Prime Minister Brian Mulroney before the United Nations General Assembly:

"While the UN may seem powerless in the face of circumstances that confront it, it is nevertheless all we have. The men and women who created this organization in 1945 hungered for peace and justice and were guided by high principles. They sought to create a global forum where they could voice their hopes and fears, their dreams and their regrets."

I would like to point out that the people of Canada, like their fellow citizens in other nations, are increasingly aware of the need to make public their desire for peace. This cry for world peace was dramatically demonstrated today at the Seven Minutes for Peace ceremony in Toronto, which brought together many spiritu-

al leaders, religious and peace groups from around the world.

It is therefore most appropriate that the 40th anniversary of the founding of the United Nations coincides with the proclamation that 1986 is the International Year of Peace. I would suggest it is equally appropriate that this House express its solidarity with the aspirations of the United Nations and of other nations of the world for a better and more peaceful world.

**Mr. F. S. Miller:** I am proud to rise on behalf of our party in commemoration of the anniversary of the United Nations. While the UN has not been successful in guaranteeing peace in the world or in totally eliminating terror, hunger or oppression, it has at least provided a forum for the prevention of war and the reduction of those miseries that plague humankind and can lead it to war.

Perhaps the UN's most outstanding achievement has been that it has managed to survive for 40 years. It has kept people at the bargaining table seeking agreements and seeking compromise when they might otherwise have turned to aggression and even annihilation.

Those of us in this chamber have special cause for interest in Canada's current role in the United Nations. The fact that a former colleague is there speaking with conviction and expertise on behalf of all Canadians is not only comforting but also a source of pride for all of us. Those of us who served in this House with Stephen Lewis have not been surprised by his success and popularity at the UN. Prime Minister Mulroney chose well in his appointment.

I would also take this opportunity to commend our Prime Minister for his presentation to the UN on Wednesday of this week. No country has more right than Canada to speak of peace, equality and justice. This anniversary is an appropriate time to reaffirm our commitment to those worthy goals.

**Mr. McClellan:** On behalf of my colleagues in the New Democratic Party, I take great pleasure in being able to join the Premier (Mr. Peterson) and the Leader of the Opposition (Mr. F. S. Miller) in expressing our thoughts on the occasion of the 40th anniversary of the United Nations. We, of course, take a great deal of pride

in the fact that our former colleague Stephen Lewis has served with such distinction as our ambassador at the United Nations. Those of us who served with him, as the Leader of the Opposition said, are not surprised that he has done such an outstanding job.

The United Nations was formed 40 years ago to rid the world of fascism, and in that it was successful. Forty years later, we are still engaged and the United Nations is still struggling to rid the world of the blight and shame of apartheid in South Africa. I think all Canadians are proud to see that our Prime Minister, Mr. Mulroney, has taken a leading role in that struggle at the United Nations forum and has again made a major plea for international sanctions against the racist regime of South Africa, to end once and for all this blight on our planet.

The United Nations not only represents our best hope for peaceful development and peaceful co-operation; it is our only hope. We rededicate ourselves to the original ideals set out 40 years ago today.

## ORAL QUESTIONS

### RENT REVIEW

**Mr. F. S. Miller:** I have a question for the Premier, and I welcome him back. Will his government remove rent controls when the vacancy rate rises?

**Hon. Mr. Peterson:** There are no plans to remove rent controls. We are in the process of building a system that we think is fair to tenants as well as a system that will encourage building. The honourable member will be quite delighted with our policies as they will start unfolding today.

**Mr. F. S. Miller:** We are a bit confused in here, and I think with good cause. The Minister of Housing (Mr. Curling) keeps talking one way in the House and another way in the corridor. He comes back in and refutes what he has said in the corridor, and he goes out and says it again. One day he says outside, "There will be rent review next year." But in here he asks why we cannot understand that he means there is no rent review.

So please help us to understand whether he is confused, whether he is confusing tenants or whether he is confusing the landlords. What really is the policy, and why does his minister not seem to know it?

2:10 p.m.

**Hon. Mr. Peterson:** I can understand the member's confusion. The member for St. Andrew-St. Patrick (Mr. Grossman) is saying

one thing and the member for Don Mills (Mr. Timbrell) is saying another thing on this subject. I have trouble? The member's former colleague brought in a four per cent guideline just shortly before the election and he has been saying different things since. I can understand that because he comes from chaos, he expects chaos everywhere. That is not the case with this government.

We acknowledge there are some serious problems in the housing situation in this province today. There is serious undersupply. We want to address that problem. We will have legislation that will be fair to tenants and responsive to some of the potentially serious inequities. It is not our intention to remove rent controls but to have a system that is fair to all.

I am sure my friend would recognize, even through his own inability ever to deal with the problem in a substantive way over the last 10 years, that it is a complex and difficult subject. We are working quickly. We are going to want his help in building a system that in general terms he and his more fair-minded colleagues of his own caucus will want to support. I think we can build a system that will accomplish both of those ends together and I look forward to his help on this matter.

**Mr. McClellan:** I am tempted to ask the Minister of Housing to step outside and answer the question, but I will ask the Premier, since the Minister of Housing has said on two separate occasions that his view of rent control is that it will be removed when vacancy rates reach an acceptable level. I believe he suggested a target of three per cent on two separate occasions.

Is that the policy of this government? If it is not, why is the Minister of Housing continuing to say it is the policy?

**Hon. Mr. Peterson:** I would just advise the member in a friendly and personal way not to invite anybody to step outside because my friend is a former pugilist, as am I, and I remind my friend that he can get into serious trouble in that regard. I say that only in the most helpful of ways.

That being said, it is not our intention to remove rent controls. We are going to provide what we think is a fair package of tenant protection that will really protect those people. We are not going to be removing those controls next year.

**Mr. F. S. Miller:** The fact that the Premier and the Minister of Housing were both pugilists, past tense, makes me wonder if one took a few



blows too many in the head. Over here we have years of practice in ducking.

Being serious, though, the Premier must have found it rather surprising, even abominable, to discover that the Minister of Housing yesterday was quoted as saying he was not even aware there was \$100 million set aside for 14,000 low-rental units. Is that because there is no commitment? Is it because there has been no discussion in cabinet? Is it because the Premier does not trust his minister enough to tell him what is being done in housing?

**Hon. Mr. Peterson:** I would remind the member that the honourable minister and I were so fleet of foot that we never got hit. I can understand his interpretation with respect to blows to the head from looking at some of his own front benches—a few there were former pugilists—but the same does not apply here.

I think if he could be patient for just about an hour and three quarters, he will see the world unfolding as it should.

#### KEY CHARGES

**Mr. McFadden:** I have a question for the Minister of Housing. The Minister of Housing is reported to have stated in an interview on CKFM radio that some landlords were acting illegally in collecting key charges from prospective tenants and he expected that this would continue for another two years or so. Would the minister care to confirm whether he made such a statement?

**Hon. Mr. Curling:** The reporter asked me if I was aware of key money. I told him people were calling in to say they are paying key money. I cannot recall saying that will continue for two years. I do not have any idea whether it will continue for two, one or three years.

**Mr. McFadden:** As the minister is aware, key charges are illegal in the province. Besides the CKFM interview, there have been newspaper reports about key money being charged to prospective tenants. Will the minister consider investigating and taking action to ensure that the law is obeyed so tenants will not continue to be required to pay key charges to secure accommodation in Ontario?

**Hon. Mr. Curling:** I will investigate that. If these practices are being carried out, we are concerned and I will take that position and investigate it.

**Mr. McClellan:** I am sure the minister did not just find out about key money today, last week or two weeks ago. I cannot believe he is not fairly briefed on the subject of these kinds of ripoffs

and scams. It is appropriate to ask the minister what action he intends to take to protect tenants from these kinds of ripoffs.

**Hon. Mr. Curling:** We know there are many illegal things happening in this province of ours. If we have specific cases, we will investigate them. I know there are many illegal things going on. As soon as the member identifies specific cases, I will investigate.

**Ms. Fish:** What is the minister going to do to find the cases?

Interjections.

**Mr. Speaker:** Order.

**Mr. McFadden:** We have now received confirmation from the minister that he is aware of these illegal key charges in Ontario.

Could he give the House some idea of the specific steps he intends to follow and the timetable for those steps? Surely this is not the first time he has been aware of it. He must have given some consideration to this. I wonder if he can tell the House what he is planning to do and give us some idea as to what his timetable might be on that action. Every month tenants are being required to pay these illegal charges.

**Hon. Mr. Curling:** I would ask the member to co-operate and bring specific cases to me, which we will investigate. Then I could set a timetable with all the specifications I have.

**Ms. Fish:** So the minister is aware of these illegal actions and will not investigate them.

**Hon. Mr. Curling:** The member will get her chance.

#### TORONTO APARTMENT BUILDINGS CO.

**Mr. McClellan:** I have a question for the Attorney General arising from a broadcast today on the Canadian Broadcasting Corp. radio news about the practices and conduct of the Toronto Apartment Buildings Co.

Was the Attorney General told by the member for Parkdale (Mr. Ruprecht), the Minister without Portfolio for citizenship and culture, about a demand by the Toronto Apartment Buildings Co. to the Radio College of Canada for approximately \$250,000 in the form of a phoney loan from Tabco to make up for a rollback of illegal rent? Further, was he told about the threat that Tabco would evict the students of the Radio College unless this loan was taken? Was he informed of this by his colleague and has he initiated a police investigation?

**Hon. Mr. Scott:** I did not hear the radio broadcast. I will undertake to get a tape of it to determine what was said and to investigate.

2:20 p.m.

**Mr. McClellan:** It was alleged on the broadcast that the president of Radio College, Hartley Nichol, immediately and fully informed the member for Parkdale about the details of the demand for a loan and the threat of eviction.

Since the answer to my first question was apparently no, will the minister investigate why his colleague—who I am sure he will agree had a clear duty to report this allegation of serious wrongdoing either to the police or to the Attorney General—will the minister investigate and advise the House why his colleague did not do that? Will he also now initiate a police investigation?

**Hon. Mr. Scott:** I am getting used to it around here. The answer to the first question was not “apparently no”, it was the answer I gave. I have not heard the radio broadcast. I was elsewhere at lunch time. I will undertake to listen to it. If an allegation of criminal offence is disclosed, I will investigate promptly.

**Mr. McClellan:** I will ask again because I want to understand this clearly: did the minister’s cabinet colleague advise him of the conversation it is alleged he had with the president of the Radio College of Canada to the effect that a demand for a loan had been made accompanied by the threat of eviction, which could be described as attempted extortion? Was that brought to the Attorney General’s attention or not?

**Hon. Mr. Scott:** I do not feel I have any obligation to disclose conversations that have been held among the ministers. Let me say that when an allegation of a criminal offence or anything like it is brought to my attention, we will investigate promptly and see what steps have to be taken in the light of that.

#### AMATEUR HOCKEY

**Mr. Martel:** I have a question for the Minister of Tourism and Recreation. About a year ago I presented a report called Play it Safe involving hockey, which indicated there were 44 spinal injuries in Canada in a nine-year period. Is the minister aware of the latest report that indicates from 1976 to April 1985 there have now been 88 spinal injuries, 84 amongst males and four amongst females primarily between the ages of 15 and 19?

Ontario has 44 of these spinal injuries. That is four times higher than those of the next closest province with 11. Of these young people, 22 were pushed from behind and 13 were bodychecked from behind. Of the 88, is the minister aware that 53 have spinal cord injuries, 24 have complete motor loss and sensory loss, eight have

complete motor loss and incomplete sensory loss and 19 have incomplete motor loss and incomplete sensory loss?

**Mr. Speaker:** The minister.

**Mr. Martel:** Does the minister not feel it is time for the province to act since our injuries are four times higher than anywhere else in Canada? Is it not time we acted to clean up the game so young people’s lives are not wiped out?

**Hon. Mr. Eakins:** I am very much aware of the statistics the member has brought to my attention. I have taken the initiative to meet with the Sport Medicine and Safety Advisory Board. I also have a meeting set up with a representative of the Ontario Hockey Association, who was this government’s nominee. I am very much concerned, as is the member, about the injuries that are taking place.

**Mr. Martel:** Some time ago I wrote to all the hockey organizations in the province to get statistics from them of the number of injuries. The minister will be pleased to know that three bothered to respond. One said it did not keep statistics because it did not feel it was necessary. The other two did not have any.

Can the minister tell me how we can help the Sport Medicine and Safety Advisory Board, and I think there are some excellent people there, to get a handle on this problem, unless hockey organizations are forced to submit all the accident statistics to that board so they can analyse those statistics to determine what is prompting the serious number of accidents we are encountering? Will the minister make it mandatory that they report all accidents to the Sport Medicine and Safety Advisory Board?

**Hon. Mr. Eakins:** As I mentioned, I have a meeting coming up with Judge Kane shortly. We also have a ministerial committee looking at draft legislation. If it is necessary, we will take this a step further. At present I want to take a look at the possibility of legislation, if necessary, and report back to the member.

**Mr. Baetz:** I have a supplementary question for the minister. Am I correct in understanding him to say he has not yet met with people from the Sport Medicine and Safety Advisory Board, an important board that was established many months ago? It is now early fall. Is it not time he met with these people? Is he saying he has not yet met with people from the board that was set up months ago?

**Hon. Mr. Eakins:** I do not believe the former minister was listening. I have met with them.



**Mr. Martel:** Is the minister aware of a poll taken by this government on hockey? Of the people polled, 55 per cent said there had to be stronger action to eliminate rough and violent play, 43 per cent said there had to be stricter enforcement of the rules and 39 per cent said there had to be better coaching. All these were in the report I tabled.

Finally, is the minister aware that they advised the minister not to act since the public did not feel the government of Ontario should do anything, and that is precisely what the government did do—nothing? Is he prepared to act to clean this mess up?

**Hon. Mr. Eakins:** I take the statistics very seriously and I want to do a further review. I assure the member I am not afraid to act.

### GO TRANSIT

**Mr. Ashe:** I have a question for the Minister of Transportation and Communications. Despite the commitment that was made by the previous government to extend GO Transit services to the people in and around Metropolitan Toronto, because of the minister's inaction, because of his hesitation and because of his procrastination, his ministry has not made any funding commitments in the current year towards that extension. As a result, no construction contracts have been let this year and, consequently, no construction has taken place and a whole year has been lost.

How can he justify his inaction and the inaction of his government in extending a needed service to the people of Ajax, Whitby, Oshawa and beyond, when his party's own candidate in the last election out our way was in full support of the GO train technology and rapid completion of that much-needed service?

**Hon. Mr. Fulton:** I would like to remind the honourable member that no slowdown has taken place in the GO Transit system. This government is committed to proper, efficient and safe transit systems to all the people in the greater Metropolitan Toronto area. In fact, the \$2-billion-plus scheme of a previous minister has delayed certain of the works in that we inherited a \$284-million project.

Bearing that in mind, we are very mindful of the funding abilities of the taxpayers of this province. It was our responsibility to view with care and review with care those spending commitments. We are doing that and we will be making an announcement soon. The people east of Toronto have not been in any way affected by the system; they have not in any way had any

reduction in the level of the service in the GO Transit system.

**Mr. Dean:** To follow up on that remarkable answer or nonanswer that the minister has given my colleague, in view of the very pressing need—just as pressing as in the east—for the extension of GO Transit rail service to the Hamilton-Burlington area, and in view of the repeated requests for action by the council of Hamilton-Wentworth and the people there, why is the minister stalling on taking the necessary steps to confirm exactly what the railways are prepared to do to aid GO Transit in extending the service to Hamilton? When will he give GO Transit the green light to get this important project under way?

2:30 p.m.

**Hon. Mr. Fulton:** We are not stalling. If the previous government had negotiated a settlement with the federal government on the use of the Canadian National line for commuter rail, we would not have been delayed. I have met with Mr. Mazankowski very recently to get the assurance that the existing CN Lakeshore line would be available for commuter rail and I will be making announcements soon.

**Mr. Breaugh:** Can the minister tell me now the current anticipated date for the arrival of GO Transit by rail in Oshawa? When will that finally occur?

**Hon. Mr. Fulton:** The member for Oshawa may be aware that the current program going to the east stops at the eastern boundary of the town of Whitby. There is some environmental question on whether the GO extension would proceed on the CN line or the Canadian Pacific line, which I understand is the preferred route to the city of Oshawa. I will give the member the exact year, but I believe we are looking at about five years into downtown Oshawa.

### AMBULANCE LABOUR DISPUTE

**Mr. Swart:** My question is to the Minister of Health. It concerns the strike of ambulance workers in the Welland, Port Colborne and Fort Erie area, which is now in its 90th day, and the inadequacy of the ambulance service in that area at the present time.

Is it not true that the latest offer made to those workers is a lower rate than that reached in any other recent settlement across the province, all of which the ministry has agreed to fund? Will the minister now commit his ministry to a level of funding to the Welland and Port Colborne ambulance services, at least so far as the wage

component is concerned, sufficient to pay wages at least equal to those on the lower end of the scale, such as Uxbridge-Stouffville?

**Hon. Mr. Elston:** There is some misconception of the role of the Ministry of Health on the part of the honourable member. We do not agree with respect to any particular contractual obligations entered into between the employees and employers. As he recognizes quite clearly, the negotiations are between the employer, the owner-operator of the particular operation, and the employees.

We fund the operations under an arrangement for funding of a budget, and it is within the mandate of each operator and his employees to do the negotiating and the bargaining. They determine what they can bargain and they determine the collective agreement under which they make the arrangements. We do not approve, nor do we reject, any of those settlements arrived at freely through the negotiations.

**Mr. Swart:** Surely the minister does not expect us to accept a statement that his ministry is not consulted on whether the funding will be available before these settlements are made. Does the minister not feel it is unfair that he will have some ambulance workers who are doing exactly the same job as others in an area receiving a dollar or two less an hour than the other ambulance operators? Can we not have some reason to believe it may be because he is unhappy with the owner-operators in the Welland-Port Colborne area, perhaps with some justification, that he is thus refusing to treat them the same as other owner-operators and that the workers there are being used as pawns?

**Hon. Mr. Elston:** There is no use by the ministry or the minister of any workers as pawns. As the honourable member will understand, if he looks at what happens with respect to owner-operated operations, the funding is at the same level around the province for each of those.

There is a base. We have a restriction with respect to the amount of money the Treasury has flowed to us. There is a three per cent guideline. The settlements that were arrived at in other locations in the province have been done within the framework of the three per cent. Whatever opportunities are available have been worked upon by the employees in those local areas and the operators.

I have not, nor has anyone from my ministry, sat at the negotiating or bargaining table with respect to those operator-controlled ambulance services and agreed to any particular settlement. The funding is available and is well known to the

operators. They settle with their employees on the basis of the collective-agreement arrangement for bargaining that is currently in place here in Ontario.

**Mr. Gordon:** Is it not true that the minister is having to carry the ball right now for the Minister of Labour (Mr. Wrye), who fails to appear in this House to answer questions about labour matters?

**Hon. Mr. Elston:** I find that a totally inappropriate question from that member concerning the Minister of Labour, who is not well. He is ill. He is at his home. He has not been able to come to the House.

The member knows, as well as I do, that the member for Windsor-Sandwich, the Minister of Labour, is a dedicated proponent of the use of this House as a very valuable place for a statement of public policy. I find it totally and unacceptably out of order that the member has been pointing a finger at my colleague the Minister of Labour. I ask him, please do not ask a question like that again.

**Mr. Gordon:** On a point of privilege, Mr. Speaker.

**Mr. Speaker:** What is the member's point of privilege?

**Mr. Gordon:** As the critic for Labour, my point of privilege is, can we be assured in this House from this moment on that whenever these ministers are away—

**Mr. Speaker:** Order. I am afraid the Speaker cannot answer that question.

#### JOB OPPORTUNITIES FOR WOMEN

**Ms. Fish:** I have a question of the Attorney General, the minister responsible for women's issues. Last weekend the Attorney General attended a conference addressing career planning, options and futures, tied particularly to young teen-age girls at a fairly impressionable stage of their development. He talked about the varieties of opportunities that were available to them.

In particular, he made reference to a variety of jobs that he described as being among the most rewarding and the best-paying. He described those jobs as men's jobs. Would he define "men's jobs" for this House?

**Hon. Mr. Scott:** I would like to thank my colleague the member for St. George for the question. Unfortunately, she was not at the meeting and therefore did not get a correct report of what was said.

I pointed out to the students that of the 500 job categories that are listed in the Canada census,



women are the majority in only 20 of those categories and men are the majority in the others. In the others, the 480, pay rates are substantially higher than they are in the jobs where women are the majority, the 20 categories.

That was the statement of fact I made. It is correct and I stand by it. I encouraged women to consider applying for jobs in the other 480 categories. I am sure the honourable member agrees with me that is what they should do.

**Ms. Fish:** As it happens, I have perhaps a slightly different view of how to deal with some of this problem. However, let me just refresh the minister's memory of what he did say.

**Mr. Speaker:** What is the supplementary?

**Ms. Fish:** By way of supplementary, Mr. Speaker, he said: "Men's jobs pay better. That may not be fair, but it's a fact of life."

I want to know whether he is abandoning the nurses, the secretaries, the receptionists, the teachers and the child care workers in this province, the women who have chosen to go into those areas that are acknowledged to be underpaid and who are in the very forefront of the fight for equal pay for work of equal value. Where is the commitment there when the minister just said: "Well, you're not paid enough, so get another job. Go get a man's job."

2:40 p.m.

**Hon. Mr. Scott:** Anybody who is quite that strident is going to have trouble getting work anywhere, whether male or female.

The reality is that I described the 500 categories, just as my colleague on the opposite benches did when he was Minister responsible for Women's Issues. I pointed out the fact that of those 500 job categories, women are the majority in only 20 of them and that, regrettably, the 480 job categories tend to be the most intellectually rewarding and most financially rewarding jobs. I encouraged the young women at that conference to get out, put aside the stereotypes if they could and apply for those jobs. That is what affirmative action is all about. I am in favour of it, and I would like to hear from the honourable member what her view is.

**Ms. Gigantes:** I would like to ask the Attorney General, where is our green paper?

**Hon. Mr. Scott:** I am not sure that is a supplementary, but I want to point out that the green paper will be here before the next full moon.

#### PUBLIC HEALTH NURSES

**Mr. D. S. Cooke:** I have a question for the Minister of Health. The minister will recall that

back in August he made a statement that he had not been in office long enough at that point to have looked into the issue of parity of public health nurses with hospital nurses. It now has been several months since he made that statement. The Kingston public health nurses are still on strike. The Metro Windsor-Essex county public health nurses are locked out. The Porcupine health unit is involved in a labour dispute as well—

**Mr. Speaker:** Therefore, you would like to ask a question.

**Mr. D. S. Cooke:** —and the Kent-Chatham public health nurses are locked out. There are four public health units where the services mandated under the Health Protection and Promotion Act are not being provided. Is the minister prepared to make a statement on the record today that his government will supply the necessary funds to bring public health nurses up to equity with hospital workers so these labour disputes can be settled?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Elston:** I cannot make a statement today to the effect the honourable member has requested. There is some confusion as to what the request is, as around the province there is variation as to what is actually equality between those two groups.

There is no question that there is concern, as far as I am involved as Minister of Health, with respect to the provision of core services. I have been assured, particularly with respect to Kingston, that so far those services have been provided at the local-area level by physicians and others who are working in the area, but I do have concerns along the lines the member has raised.

**Mr. D. S. Cooke:** Is the minister aware that in Kingston specifically, prenatal classes are not being provided, family planning classes or instructions are not being provided, the immunization clinic has been done away with, the preschool clinics are not in operation, adult clinics in senior citizens' buildings have been suspended and the visiting program to mothers of newborns has also been eliminated? Those are only some of the programs that are not in operation because of the strike. The minister cannot say the same services are being provided when the labour dispute is on.

Is the minister aware that on November 4, 1976, in this Legislature, the then Minister of Health, the member for Muskoka (Mr. F. S. Miller), recognized a problem was developing

with public health nurses not being paid at the same rate as hospital nurses and took action to correct the situation?

**Mr. Speaker:** The member has now come to the question.

**Mr. D. S. Cooke:** Is the minister going to take action to correct the situation, or is he going to let this inequality continue?

**Hon. Mr. Elston:** The situation the member outlined with respect to Kingston indicates clearly that on occasion there is flexibility in the health delivery system to provide alternative methods of delivery of health care services. Immunization is being carried on through physicians. That is just one example.

With respect to the commitments made by the then Minister of Health, the member for Muskoka, I understand those were made on a one-time basis, and were not adequately reflected on by several of the local areas and unfortunately the options were not accepted at that time.

The other item that is of use for the member to consider is that we are one party that can provide compensation for local health units. There is a partnership between us and municipalities with respect to contribution, and we cannot unilaterally fund the entire expansion of the budget without some local assistance.

**Mr. Gordon:** Is the minister prepared to increase the amount of money he provides to municipalities, which then can follow suit?

**Hon. Mr. Elston:** The flowing of money to municipalities does not fall under the aegis of my ministry. Certainly the raising of taxes is often used to provide money for the payment of contributions to the health units. The honourable member has misconceived the ideas around the funding required with respect to the public health units in the province.

#### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr. Harris:** I have a question of the Minister of Northern Affairs and Mines. Given the growing concern on the part of northern Ontario residents about the commitment of not only this minister but also the Liberal government to the very existence, let alone the role, of the Ontario Northland Transportation Commission—the Chairman of Management Board (Ms. Caplan) might want to listen to this, since, when she was in North Bay, she did not know whether that was federal or provincial—

**Hon. Mr. Bradley:** She was checking with Moe Mantha.

**Mr. Harris:** Moe would straighten her out.

Given this problem and the growing concern throughout northern Ontario that the very existence of the ONTC and its various services will be reviewed by the provincial government—a story in one of the papers says, “Funds for the ONTC Double-Decker Coaches on the Night Train Now Frozen by the Liberals”; that not only service in the northeast but also jobs in Thunder Bay will be affected, and that, according to a statement, one of the two daily trains operated by the ONTC in northern Ontario should be cancelled—will the minister confirm or deny an apparent leak from his ministry that the ONTC in its entirety will be abolished?

**Hon. Mr. Fontaine:** First of all, I would like to correct the member for Nipissing. What we are doing with the NOTC or the NORTC—what is the name of that?—le chemin de fer du Nord.

Une chose que j’ai dite, et je le répète, c’est qu’on va étudier le système de transport dans le Nord de l’Ontario. Comme vous le savez, Monsieur le Président, nous avons un gros déficit, qui est autour de \$20 millions. Alors, j’ai demandé à mes employés d’étudier pourquoi ce déficit est si élevé.

I have asked my employees to study the deficit of this transportation system, and I have also said that we are going to go around the north and ask the people which train they want to take. If the people of northern Ontario want to take the day train, there is going to be a day train. We will not put on a night train for only a few politicians or a few businessmen. We are going to go where the people want to go, and that is our commitment.

I never said in North Bay or any place that I would close the ONTC. That is the dream of the member opposite, not mine.

Second, about those double-decker—

**Mr. Speaker:** Order.

**Hon. Mr. Fontaine:** He asked me that question. First, they should know that when they dream about those double-deckers, they were supposed to be a big order by Via Rail, and this big order has not arrived yet. When this big order arrives, we are going to review the five or 10 cars we are supposed to get.

**Mr. Harris:** This is a serious matter. When the minister talks in the House today as he talked in northern Ontario he is consistent: he is going to do away with one of the trains. When he does away with one of the trains, he concerns 1,000 employees in North Bay, 1,000 employees throughout the rest of northeastern Ontario and all those who depend on this development road for service to the industries and passenger service



in northern Ontario. Every time the minister goes into the north he talks about reviewing this and cancelling that. These are the things the people of northeastern and northwestern Ontario hear from us.

**Mr. Speaker:** How about a supplementary?

**Mr. Harris:** By way of supplementary, the minister keeps leaving the impression that not only is he not prepared to fight for the north, as the member for Kenora (Mr. Bernier) used to fight for the north, but he is going to cancel some of the things he fought for.

**Mr. Speaker:** Order.

2:50 p.m.

**Mr. Harris:** It is a simple question. Will the minister give me an answer? Now we hear the ONTC is to be cancelled. Is he going to cancel it? Yes or no?

**Mr. Speaker:** I believe we finally got to the question. It will be a nice, brief answer, I presume.

**Hon. Mr. Fontaine:** It took a long time.

I just said that we in the north are going to review this commission, which is packed with Conservatives. That is all I said. Maybe in the future I will replace some with Liberals or New Democrats for a while, because we could never get a job on this commission before. But I never said I would cancel it.

**Mr. Wildman:** Surely the minister recognizes that this is not the first deficit the ONTC has experienced and that there is tremendous concern about his proposal for cancelling either a night train or a day train. Surely the problem of lack of passengers is caused by the slowness of the service. Rather than cancelling a train, why does the minister not commit funds to upgrade the roadbed so we can have better service in northern Ontario instead of cutting back on it?

**Hon. Mr. Fontaine:** I would like to ask my friend the member for Algoma how many times he has taken the train from Kapuskasing to Toronto. I am the only one in this House who takes the train. I take it every month. I did not see him on the train.

We will not cut any trains. We are going to see which schedule is the best to get that train from Kapuskasing to Toronto in 10 hours. The honourable member has to remember that it takes 14 hours to go up. If we reduce that time by four hours, it disrupts all the other schedules. We have to be sure that—

**Mr. Martel:** Is that not awful?

**Hon. Mr. Fontaine:** It is awful. Has the honourable member ever taken that train before?

**Mr. Martel:** I know more about trains than the minister will ever know.

**Mr. Speaker:** Order.

**Hon. Mr. Fontaine:** We are going to look at which schedule is the best for northern Ontario and we will have another train from North Bay to Toronto; so the member should not worry.

#### APARTMENT CONVERSIONS

**Mr. Philip:** I have a question of the Minister of Municipal Affairs concerning the possibility that the former Cadillac Fairview buildings will be converted to condominiums.

The minister should be aware that under the Municipal Act and under the Planning Act, various municipalities have been able to curtail the conversion of affordable rental accommodation to condominiums. All the municipalities that have the former Cadillac Fairview buildings have in some way passed policies restricting conversion in situations where there is a low vacancy rate, which is the present situation.

Has the minister yet conveyed to the federal authorities that he will uphold the policies that have been passed by the municipalities and that in this province, under the Minister of Municipal Affairs, there will be no conversions of Cadillac Fairview buildings?

**Hon. Mr. Grandmaitre:** I would like to inform the honourable member that every municipality in Ontario, through the Municipal Act or section 34 of the Planning Act, can prevent these conversions. It is up to the municipality to take on its responsibility and to apply section 34 of the Planning Act.

**Mr. Philip:** The minister should be aware that the municipalities involved, namely, York and Scarborough, already have a moratorium on conversions, that North York and East York restrict conversions until the vacancy rate reaches five per cent and that Toronto does so until the vacancy rate reaches more than 2.5 per cent.

Will the minister now unequivocally state that he will support those municipalities, that there will be no exception in the case of the former Cadillac Fairview buildings and that there will be no conversions of those Cadillac Fairview buildings in Ontario?

**Hon. Mr. Grandmaitre:** I will support any municipality that wants to apply section 34 of the Planning Act.

**Mr. Shymko:** As the minister is aware, the city council opposed the proposed conversion of

these rental units to condominiums because of the increased pressure this would put on the already very tight rental situation in this city. The city housing commissioner, George Cook, has called upon the government to acquire these 11,000 units. He made that request officially. Will the minister accede to this city's request, and if so, when?

**Hon. Mr. Grandmaitre:** I am not aware of the request. I have not seen it. Possibly it went to the Minister of Housing (Mr. Curling).

#### SUMMER WAGES

**Mr. Hennessy:** I direct my question to the Minister of Natural Resources. Students who had summer employment with his ministry have not been paid by contractors who received contracts to plant trees for the ministry in northwestern Ontario. Can the minister answer that one?

**Hon. Mr. Kerrio:** No, not such a specific question. I shall take it under advisement and get back to the honourable member.

**Mr. Hennessy:** Will the minister institute a policy whereby, when the Ministry of Natural Resources is paying the contractor, it keeps back a certain amount of money to pay the wages to the youngsters who work in the summer?

I know of many people in my riding and the ridings around me who work for contractors. After the contractors are finished, if they get paid by the ministry, they go bankrupt and they are not around to pay the students. The students come back to us. It is the responsibility of this minister to try to rectify this matter.

**Hon. Mr. Kerrio:** It is as if the honourable member was with me this morning when I was briefed on this very subject. With my past experience, we are looking at ways to hold back sums of money where that issue becomes a problem and to extend it beyond that. We are looking into a way of bonding those companies that do work for us in the Ministry of Natural Resources to protect those people and guarantee they will get their wages.

**Mr. Morin-Strom:** Yes, but what will that do to help out the youngsters who worked this summer to help his ministry to plant trees in northern Ontario? Because of the bankruptcies of some of the companies they worked for, they have not been paid a cent for their work. How will they get compensation for the work they have done on behalf of his ministry? What will he do specifically about those youngsters in northern Ontario?

**Hon. Mr. Kerrio:** That relates to the first question. Of course, it is a concern of ours. I will be looking at the matter in detail, and I will report back on how we might be helpful to those young people.

#### SOUTH AFRICAN WINES

**Mr. Warner:** I have a question for the Minister of Consumer and Commercial Relations. I would like to know why the government has abandoned its ban on the sale of South African wines and liquors in Liquor Control Board of Ontario stores.

**Hon. Mr. Kwinter:** We have not abandoned that plan.

**Mr. Warner:** The minister should be aware that today 26,000 bottles of South African liquor and spirits were unloaded at the Kipling store. Since the normal turnaround time is six to eight weeks, and the Norwegian ship Thorscate left South Africa on September 16, arrived at Montreal on October 4 and in Hamilton on October 9, and today its unwanted cargo was unloaded, this order was placed by the government of Ontario after it announced a ban on South African wines. I want to know why the minister has let down the cause of supporting the oppressed peoples of South Africa.

**Hon. Mr. Kwinter:** I will take that as notice from the member and investigate it. It is the first time it has been brought to my attention. I will get back to him.

**Mr. Runciman:** While indicating our party's support for the banning of South African wines from outlets of the Liquor Control Board of Ontario, I wonder if the minister could share with the House the criteria the cabinet and his ministry developed to apply to the sale of South African wines through LCBO outlets. How are they applying that to other products? I am thinking specifically of Chilean wines and Russian vodka. Is he dealing with those products as well?

**Hon. Mr. Kwinter:** At the present time, the policy of the government is to ban the sale of South African wines and spirits only.

3 p.m.

#### SPIILLS BILL

**Mr. Villeneuve:** I have a question of the Minister of Agriculture and Food. Is he aware of the very grave concerns in rural Ontario regarding the spills bill which the government has committed to be proclaimed on November 29? Has he checked with the different agricultural organizations and with his rural caucus mem-



bers? Does he know the grave concern rural Ontario has about the spills bill? What has he done to influence the Minister of the Environment (Mr. Bradley)?

**Hon. Mr. Riddell:** Thank you for the question. I was beginning to feel a little lonely over here. I am well aware of the concerns the member expressed. Yes, I have met with the various farm groups, the Ontario Federation of Agriculture, the various commodity boards, and the transporters' association. I have had numerous meetings.

I have sent some recommendations to my colleague the Minister of the Environment, drawing to his attention the concerns as they were expressed to me. However, I want to tell the member there is a paranoia out there that is not justifiable. When the minister gets up to make his statement, the member will find there is a lot of concern among the farm people that I feel has been sparked by the chemical manufacturers, for example, and maybe the odd person connected with some of our farm organizations, who may have some motives other than that for which they are expressing a concern.

There is a paranoia out there that should not exist.

**Mr. Villeneuve:** It sounds like the Ontario Federation of Agriculture and the rest of the agricultural community has been taking it very lightly. I believe the KC on the minister's hat the other day was the kitty cat approach.

Would he please go to the Minister of the Environment and express the real concerns? The "f.o.b. the plant" disturbs me tremendously on some of these chemicals.

**Hon. Mr. Riddell:** Chances are I have spoken to far more farmers and farm groups since I became minister than the member has. The farmers are not expressing the same concern he is, particularly after they have had the situation explained to them.

Do not ever think the Minister of the Environment would be bringing in a bill for which there would not be some insurance. Just wait until he makes a statement. When he does, then ask the question again, because I am going to tell the member there is not the concern he thinks there is regarding the spills bill.

Something had to be done. Let me remind him that every member of every party in this House voted for the bill because they knew something had to be done.

**Mr. Speaker:** Order. I think the answer has been given.

**Hon. Mr. Riddell:** Sometimes it is hard to get it through, though.

**Mr. McKessock:** Is it true that in the spills bill legislation there is a limit of \$500,000 on the liability for farmers?

**Hon. Mr. Riddell:** I believe that is the case, but let me also remind the member that most farmers carry liability insurance of anywhere from \$500,000 to \$1 million. Most of them carry liability insurance when they apply for drivers' licences. Just wait until the minister makes a statement and I think the member will find that the farmers' concerns will be addressed.

**Hon. Mr. Bradley:** Quit fighting your own environmental legislation. When is your party going to stand up for the environment?

**Mr. Speaker:** Order.

**Hon. Mr. Bradley:** You are against the environment and you know it.

**Mr. Gregory:** We are against stupidity.

**Mr. Brandt:** The nonsense that is in the bill.

**Hon. Mr. Bradley:** Do you mean the bill your party voted for?

**Mr. Brandt:** We did not vote for your legislation; you know that.

**Mr. Speaker:** Order. Will the Minister of the Environment contain himself.

#### A AND P FOOD STORES

**Mr. Morin-Strom:** I have a question for the Minister of Consumer and Commercial Relations.

I am sure the minister must be aware of the increasing level of corporate concentration in the retail grocery business across the province. In particular, in northern Ontario we are seeing the hands of the grocery business being concentrated into one firm in the major communities in the north. In Sault Ste. Marie, as a result of its purchase of four Dominion Stores last year, A and P Food Stores now controls seven of the 10 major stores in the city. It is now proposing to close one of those stores and has given notice to 50 local employees.

What can the minister do to ensure there is fair and adequate competition in the grocery business in northern Ontario?

**Hon. Mr. Kwinter:** That issue is not really something I can address. It is an issue that is outside of the purview of this ministry.

**Mr. Morin-Strom:** I would think it is the minister's responsibility to be concerned about the consumers in individual communities in this province. When consumers are given the choice

of one store in their area, as is the case in the whole western half of Sault Ste. Marie where there were previously two stores, one of them now being proposed to shut down so there will be only one major grocery store in that area; and when at the same time the store owners—

**Mr. Speaker:** Question.

**Mr. Morin-Strom:** —say the stores that are closing will not be put on the market for sale to any other grocery operation, will the minister look at that situation and investigate the operation of A and P in Sault Ste. Marie?

**Hon. Mr. Kwinter:** I would like to repeat there is no indication that just because there is one store it is a problem for the consumer minister. When there is a problem that relates to my ministry, I will address it.

#### HALIBURTON KAWARTHA PINE RIDGE DISTRICT HEALTH UNIT

**Mr. Sheppard:** I have a question for the Minister of Health. In September officials at the Haliburton Kawartha Pine Ridge District Health Unit were made aware of an outbreak of head lice in our schools. This is a health unit which decided to stop sending nurses to the schools to check for head lice. The problem is growing.

**Mr. Speaker:** My problem is hearing the question.

**Mr. Sheppard:** Will the Minister of Health ensure that the nurses will go back into the schools to clean up the head lice?

**Hon. Mr. Elston:** The honourable member understands that the administration and direction of the public health unit are under the auspices of the board of Northumberland county or under the auspices of the medical officer of health. I will look into what happened there on September 20 and report back to him. The administration and the decisions to send people into particular situations are made at the local level by that board and the MOH.

3:10 p.m.

#### VISITORS

**Mr. Speaker:** If I could have your attention for a moment, I would ask all members of the assembly to join me in recognizing and welcoming in the Speaker's gallery Ms. Rosemary Brown, member of the Legislative Assembly for the riding of Burnaby-Edmonds in British Columbia.

Members might also like to welcome Bob Eaton to the Legislature.

#### PETITIONS

##### ROMAN CATHOLIC SECONDARY SCHOOLS

**Mr. Villeneuve:** I have a petition signed by at least 110 constituents and by Grand Knight Eric Dumm of the Iroquois-Morrisburg Knights of Columbus, Council 6882.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

**Mr. G. I. Miller:** I also have a petition signed by Grand Knight N. E. Leeking of Council 5420, Goderich, Ontario, dated September 20, 1984.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

**Mr. Sheppard:** I have a petition, signed by 450 people in my riding, as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to implement the policy on the funding of the completion of our separate school system without delay in order that it can be applied on September 1, 1985.

"We further petition that this legislation protect the historic rights of Roman Catholics to maintain the special character of their separate schools."

#### REPORT

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan, from the standing committee on regulations and private bills, presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr6, An Act with respect to the City of St. Catharines;



Bill Pr10, An Act with respect to the City of Niagara Falls.

Your committee begs to report the following bill with certain amendments:

Bill Pr18, An Act with respect to the City of Cambridge.

Motion agreed to.

## INTRODUCTION OF BILL

### TIME AMENDMENT ACT

Mr. McClellan moved, seconded by Mr. Breagh, first reading of Bill 40, An Act to amend the Time Act.

Motion agreed to.

**Mr. McClellan:** This bill would extend daylight saving time from the first Sunday in March to the first Sunday in November, subject to variation by regulation, thus providing for eight months of daylight saving time a year in Ontario.

**Mr. Speaker:** I would like to advise the members we will be adjourning. There will be a five-minute bell prior to 4 p.m.

The House recessed at 3:15 p.m.

4 p.m.

## BUDGET RESOLUTION

Hon. Mr. Nixon moved, seconded by Hon. Mr. Peterson, that this House approves in general the budgetary policy of the government.

[Applause]

**Hon. Mr. Nixon:** I trust the House will be as enthusiastic at the end of my remarks as it is at the beginning.

**Mr. Speaker:** I wonder if I could ask the indulgence of the House to wait just a moment while the pages distribute the budget to each member before the speech begins.

**Mr. Poirier:** Mr. Speaker, on a point of privilege: I would like to take this opportunity to pay our compliments to the Treasurer for having had the courtesy to provide this very important document in both official languages.

## BUDGET STATEMENT

**Hon. Mr. Nixon:** Before I begin my formal presentation of the budget, I want to express my appreciation to the officials of the Treasury and the Ministry of Revenue for their assistance, their consultation and perhaps I should say their patience during the last few weeks and months. I also want to express appreciation to the number of groups that made the effort to prepare a submission to the Treasurer and the Treasury and

came into the Treasury boardroom to back up their views and carry on some exchange of views at the same time. I found this very helpful and stimulating.

I am very glad we were able to arrange for the distribution of the budget document itself to every member. I always feel it is convenient to follow the reading of the budget and even make notes, all of them of approval, I expect, rather than have to go over it in one's own time and mash it up at a later time.

I am sure you are aware, Mr. Speaker, that since 8 a.m. today the budget has been available under conditions of restricted access to the press, to the representatives of opposition parties, to the business community and particularly to representatives of the groups that are dependent upon the level of transfer payments from Ontario to their organizations. As I begin to speak, the signal is given to them that they may come back here, if they choose, to listen to the actual budget or go about their business in its support.

I would like now to present the budget to the House. I am pleased to present my first budget to the Legislature and the first Liberal government budget since March 19, 1943. Over the coming months, we will present a plan of action that will ensure steady improvement in the long-term performance of the Ontario economy and its capacity to provide new job opportunities for the men and women of this province.

Ontario is a trading province in a trading nation. Canada is the largest trading partner of the United States, far ahead of Japan, based primarily on the strength of Ontario's economy. We are committed to expanding Ontario's trading horizons, but we will do so without jeopardizing our farm, industrial and resource jobs. We want to strengthen our service sector and revitalize our tourism industry.

We are developing a fresh, comprehensive approach to industrial policy. It must involve all sectors of Ontario's economy: government, business and labour. It will focus on science and technology to meet the challenges of the new international economy. It will be based on the fundamentals of economic progress—people and ideas.

The Premier (Mr. Peterson) set out the government's immediate social and economic objectives in his speech to the Legislature on July 2. This budget presents a plan to accomplish our objectives by carefully balancing social responsibility with fiscal responsibility.

Fiscal responsibility is simply applying the principles and practices of good management to

government. It means keeping a clear, open and understandable set of books; it means spending our money efficiently where it is most needed, and it means dealing responsibly with our partners in government.

We have a new opportunity to strengthen the partnership with our hospitals, colleges, universities and local governments. We have emerged from the recent period of economic uncertainty and high inflation rates into what, I believe, is a much more stable economic environment. We are now in a position to assure greater certainty in funding to our partners in local government and the agencies that provide health and education programs so, they too can bring good management and a more businesslike approach to their responsibilities.

We value equally our partnership with the other provinces and the federal government. We all benefit when we co-operate to achieve common objectives. Ontario and the other provinces, however, are apprehensive about the federal government's recent approach to federal-provincial finance.

Members will be aware that I attended a meeting of federal and provincial Treasurers and Finance ministers in Halifax in late September. At that meeting, federal Finance Minister Michael Wilson reasserted his intention to proceed with a reduction in the rate of growth of provincial transfer payments for health and post-secondary education. Moreover, he revealed that he planned to start these reductions beginning April 1, 1986, that is, one year before the existing federal-provincial financing arrangements would normally be renewed.

**4:10 p.m.**

Unless the federal government reconsiders its proposed course, Ontario faces a revenue loss of \$150 million in the fiscal year 1986-87, increasing to \$300 million in the following year and eventually rising to \$750 million annually by 1990. In other words, over the next five years, our health and education systems will lose \$2 billion in federal support.

These proposed transfer cuts would weaken the partnership under which the federal government is committed to share substantially and equitably in the financing of health and post-secondary education programs that the provinces deliver.

Our priorities are clear. We believe in strengthening and revitalizing our post-secondary education system. We believe in meeting the needs in the health care system associated with an ageing population and new

technologies. We will continue to urge the federal Minister of Finance in the strongest possible terms to adopt the same approach and withdraw his proposed cuts in transfers for health and post-secondary education.

Since my statement to the Legislature on July 11, we have continued our examination of Ontario's financial position, including an assessment of the reporting of a number of programs and activities in the province's accounts.

If we are to begin planning for the future on a sound basis, it is important that our balance sheet accurately reflect the true state of Ontario's financial affairs. Accordingly, I am taking a number of actions.

Ontario has more than \$2 billion in financial assets on its books that do not represent any real value other than to record financial obligations the province owes to itself.

These reflect past loans and advances to public institutions. The practice of setting up loans and advances to crown entities for major capital undertakings was ended in the late 1970s. No action was taken, however, to deal with the loans and advances already on the books. I am remedying this by removing these from the province's financial statements.

I am also correcting other anomalies that exist with respect to proper asset valuation.

Financial assets in these categories include advances, loans and investments related to the Ontario Universities Capital Aid Corp., the Ontario Education Capital Aid Corp., the Ontario Housing Corp., public hospitals, the Ontario Energy Corp., the Ontario Land Corp., and some water treatment and waste control facilities.

The steps I have taken today will put an end to these left-pocket-to-right-pocket-and-back-again bookkeeping entries, which would have otherwise continued in the province's financial accounts well into the 21st century.

Furthermore, I am removing from the province's balance sheet the equity holdings related to four crown corporations: the Ontario development corporations, the Ontario Energy Corp., the Urban Transportation Development Corp. and the Liquor Control Board of Ontario.

I would like to share with members the specific actions I am taking on Suncor and the Ontario Land Corp.

As members will recall, in 1981 the government of the day purchased a 25 per cent shareholding in Suncor Inc. for \$650 million. The share purchase was financed by a \$325-million cash payment through the Ontario Energy Corp.



and a \$325-million, 10-year, 14.357 per cent note due to the Sun Note Co. This was a bad deal.

The current value of the shares is significantly below the original purchase price. A review now is under way to determine the best method of dealing with the Suncor shares. This review will assess all the disposal options and the shares will be sold as soon as financially prudent.

To clear the province's books, the recorded investment for the Suncor shares will be written off and the province's remaining obligation for the Sun note will be discharged at an estimated cost of \$305 million. The principal and interest payments otherwise required to retire this debt total \$420 million and stretch to the end of 1991.

Whatever might be recovered by the province in the future from this unfortunate investment will be substantially less than the total that would have been paid by the time the Sun note matures in 1991.

I now turn to the province's advances to the Ontario Land Corp., which are listed at \$872 million as of March 31, 1985. These advances have been channelled into two activities, \$453 million for land banks and \$419 million for mortgage loans.

Members will not be surprised to learn that the Ontario Land Corp.'s estimates put the appraised value of this land at \$271 million, well below the original cost and \$182 million less than the province's advance to the Ontario Land Corp. This loss in value will be written off and the land transferred to the appropriate ministries or sold as market conditions permit.

A large number of the corporation's \$419-million portfolio of mortgage loans were made with terms and conditions not commonly prevailing in today's market. It is estimated that the province would recover \$37 million less than its outstanding advance.

Accordingly, the recorded value of this advance is being reduced. The divestiture of these mortgages will proceed in a planned and businesslike manner. These actions put all the cost implications of these anomalous situations behind us, and they will not continue to distort our financial position.

"A Clean Slate." I read that heading for the benefit of the member for St. Andrew-St. Patrick (Mr. Grossman).

My examination of the financial position of the province also reveals that there are a number of major expenditure commitments that were not funded in the estimates inherited from the previous government. The budget makes provision to accommodate these unfunded commit-

ments: \$90 million in municipal transit, including the Scarborough Rapid Transit, and \$15 million for hospital operating programs not funded in the estimates.

I am also providing \$10 million for additional write-offs of loans made by the Ontario development corporations that are deemed, in response to the auditor's report on more than one occasion, to be uncollectable. In order to avoid similar problems in the future, the Management Board of Cabinet will conduct a review of the procedures authorizing ministries to make financial commitments on behalf of the government. We certainly do not want that sort of business approach to occur again.

Historically, in the last three months of each fiscal year the province has paid a seven per cent advance on the next fiscal year's general legislative grants to school boards to help meet expenses for those three months. During the past few years, the province has reduced these advances to only 3.6 per cent. This budget provides the \$108 million necessary to restore the advances to the seven per cent level. This move will be of substantial assistance to the school boards, obviously.

In summary, the actions I have taken will provide a more accurate presentation of the financial state of affairs of the province. With the slate clean, we can present a more easily understood financial picture.

I would now like to report on Ontario's economic performance. Our economy is about to enter its fourth successive year of expansion. This year, real growth is expected to be 4.5 per cent. Treasury staff estimate that real growth in 1986 will be somewhat slower at 2.4 per cent.

#### Interjections.

**Hon. Mr. Nixon:** It is nice to note that seems to give comfort to the opposition.

Moreover, our economic growth is more balanced. In comparison with the early stages of the economic recovery, Ontario's growth is less dependent on exports to the United States. This provides for a more stable environment by reducing our vulnerability to external disturbances. Business investment, residential construction and consumer spending will continue to expand. Our export-oriented industries should also perform well, aided by recent improvements in our competitive position.

On the inflation front, I believe we have entered a period of stability compared with the volatility of the past 10 years. Inflation has fallen from double-digit levels in the early 1980s to around four per cent in the last two years. For

1986, it is forecast to be 4.4 per cent. This stability should also be reflected in lower and more stable interest rates.

**4:20 p.m.**

Job creation and training must be a high economic priority. Continued growth will lead to further job creation. Employment is expected to rise by 108,000 jobs in 1986, following an estimated 152,000 increase in 1985. This will bring the unemployment rate down from an average 8.2 per cent in 1985 to 7.7 per cent next year. Such levels, while a clear improvement from the 11 to 12 per cent in 1982 and 1983, are still too high.

Helping young people to prepare for and find employment is a major challenge. Although Ontario's youth unemployment rate continues to improve, it remains well above the overall average for the labour force.

Other groups in the labour market also require special attention. Some workers, such as those in Sudbury, have been adversely affected by major changes in the economy and have not shared fully in the benefits of renewed economic expansion. These workers are frequently unemployed for long periods of time. Often they are located in communities or regions dominated by a single industry. As a result, unacceptably high unemployment persists in some Ontario communities.

In developing our spending plans, I have placed a high priority on regional and community-based economic development initiatives. In addition, the budget contains specific measures to assist northern Ontario communities.

On July 2, the Premier outlined the government's program for this session, and today I would like to report on our progress to date. Funding for this program is provided in this budget plan.

The 1985-86 estimates provided \$100 million for 12 different youth programs. This structure created inconsistencies, gaps and duplication. A new program, Futures, already announced by the Minister of Skills Development (Mr. Sorbara), introduces a single work experience program that replaces six of the existing youth employment and training programs. Futures is a major step towards a consolidated approach to job preparation and training. It is directed to employment-disadvantaged youth, 24 years of age and under, and will guarantee up to one year of work experience for all hard-to-employ youth who undertake educational upgrading.

Today, I am announcing a \$75-million increase to the youth programs this year—that is, above and beyond the \$100 million that was

placed in the estimates we inherited—and a total allocation of \$200 million for next year. These programs will create employment opportunities and training places for more than 230,000 young people by the end of next year.

In addition, the province will provide school boards with \$13 million over the next three years for co-operative education programs to assist high school students in making the transition from school to the work place.

Agriculture continues to experience serious economic pressures. We are taking actions to help our farm families cope with the low cash receipts and heavy debt burdens they are facing. We are developing a number of new programs to address this situation. The Minister of Agriculture and Food (Mr. Riddell) has already announced a \$50-million Ontario family farm interest rate reduction program to assist farmers in reducing the cost of their long-term debt to eight per cent for this year.

This budget also provides \$20 million as Ontario's share of this year's payments under the tripartite stabilization plan for our red meat producers. The Minister of Agriculture and Food is now involved in negotiations to ensure that the federal government joins the province in making the much-needed payments to our beef and hog farmers retroactive.

Within the next few weeks, the Minister of Agriculture and Food will be announcing details of a \$6-million transition fund to assist farmers leaving the agriculture industry. The program will recognize the particular difficulties faced by the tobacco-growing sector.

One of the government's major priorities is to assure an adequate and affordable supply of rental housing.

The federal government has re-examined its nonprofit housing programs and has proposed major changes in the mechanisms of federal support. Ontario expects the federal government to continue to fulfil its obligation in the provision of affordable housing.

For our part, we are developing an integrated housing strategy as a comprehensive response to the problems of the housing sector. As part of this strategy, the budget funds significant increases in the number of socially assisted rental units produced in Ontario. These funds will result in the construction of at least 10,000 additional nonprofit housing units in the next three years, more than 4,000 of which will receive rent-geared-to-income subsidies.

The private sector also has a crucial role to play in the provision of rental housing. We will



seek to encourage and strengthen that role by providing funds for interest-subsidized loans to developers to stimulate the production of 5,000 rental housing units.

These two programs will generate more than 30,000 jobs. Further initiatives to encourage the production of new rental housing and the rehabilitation of older rental buildings will be outlined in the next few weeks by the Minister of Housing (Mr. Curling).

The minister will introduce legislation shortly to fulfil our commitment to establish a rent registry and to make important amendments to the Residential Tenancies Act.

In addition to ensuring more low-cost rental housing for young families, improved child care programs are required and new approaches are currently under review. The budget provides for subsidized spaces, promised by the Premier in April of this year, to accommodate an additional 10,000 children. Priority will be given to child care in rural and underserved areas and to children with special care requirements.

The government is working to revitalize a system of community care to help seniors maintain their independence and is developing a longer-term support strategy. The budget addresses this area of urgent need by providing \$11 million on an annual basis to strengthen support services for the elderly in our communities.

As I mentioned earlier, economic development in northern Ontario is a priority. The government has created a special, \$100-million northern development fund. Over the next five years this fund will support economic development initiatives of the Ministry of Northern Affairs and Mines to create viable and enduring economic activity in the north.

Beginning in December of this year, the government will provide financial assistance to residents of northern Ontario who must travel long distances for necessary medical care that is unavailable in their communities. This program for northern residents will help to remove financial barriers impeding access to specialist health care services in the north and elsewhere in Ontario. Furthermore, the Minister of Health (Mr. Elston) has developed a program to encourage additional medical specialists to establish practices in northern Ontario.

To strengthen the small business sector, I am proposing changes to Ontario's small business development corporations program to improve its effectiveness, particularly in the north and the east. As well, I am adding computer software development as an eligible activity throughout

the province. To accommodate the expected increase in activity, the budget allocation for the SBDC program will be increased to \$30 million for the 1985-86 fiscal year.

As I mentioned at the outset, one of my objectives is to strengthen our partnership with local governments and with those who deliver major education and health services. If our school boards, colleges, universities, hospitals and municipalities are to plan effectively for the provision of adequate and efficient services, they need early information on future provincial funding levels. That is why I have decided to make an announcement of our financial support for the 1986-87 fiscal year at this time.

The government expects each of its public sector partners to contribute to efforts to assure taxpayers that their hard-earned tax dollars are being spent prudently in an environment of careful planning and good management.

Inflation has stabilized, and this should be reflected in public sector salaries and other costs of operation. We have to manage our limited resources carefully and target resources for emerging priorities. We must maintain and upgrade our educational facilities; we must place greater emphasis on opportunities for excellence among our students and ensure the vitality of our cities through improvements in roads and urban transit.

**4:30 p.m.**

The basic operating grant for universities and for colleges of applied arts and technologies will be increased by four per cent in 1986-87.

In addition, I have allocated a total of \$80 million in 1986-87 for the colleges and universities excellence funds. As announced in this House on October 17, \$50 million will be made available to our universities to update student and library equipment, increase research activities and appoint new faculty. The excellence funds will enable colleges to purchase state-of-the-art teaching equipment and allow both our colleges and universities to undertake much-needed capital repairs.

Members will be pleased to know that funding will be provided for the University of Waterloo to complete the construction of its new computer research centre, which has been named in honour of William Grenville Davis.

[Applause]

**Hon. Mr. Nixon:** Did anybody take the names of the members not applauding?

The government is committed to improving access to our post-secondary education system. Accordingly, to reduce financial barriers, in-

creases to formula tuition fees will be held to four per cent for the coming year, while funding for the Ontario student assistance program will be increased by eight per cent to \$145 million in 1986-87.

In keeping with the government's promise to gradually increase school board support, the 1986 general legislative grants will be increased by 5.4 per cent.

In addition, we will establish a \$25-million education capital fund. This fund will provide a significant enrichment to the \$67 million in next year's basic allocation for capital purposes. This will enable school boards to start building badly needed school facilities in rapidly growing communities and to update existing schools. Full details on 1986-87 provincial assistance for all school boards will be announced by the Minister of Education (Mr. Conway).

The budget also honours the government's commitment to extend funding to separate schools. In September, the government enriched funding for grades 9 and 10 and extended support to grade 11 students at a cost of \$34 million. In the next fiscal year, the estimates will provide \$107 million for this purpose, including the extension of support to grade 12 by September 1986. Also, we will provide a further \$17 million in capital funding to accommodate the expansion of the separate secondary school system.

In 1986-87, the basic allocation for total transfers to municipalities will be increased by 4.2 per cent. Details on unconditional grants will be announced by the Minister of Municipal Affairs (Mr. Grandmaitre).

Furthermore, the budget establishes a fund for municipal improvement. For the coming fiscal years, this fund will have \$60 million for special road renovations and the transit capital program. Further details on the first year of this fund will be announced by the Minister of Transportation and Communications (Mr. Fulton).

The total allocation for the operation of hospitals for 1986-87 will be increased by 8.3 per cent. This increase includes four per cent for the basic allocation for the operation of hospitals and the necessary funding to accommodate additional costs associated with higher demand for hospital service. It also includes provision for new, approved hospital programs, the details of which will be announced by the Minister of Health (Mr. Elston).

The government is taking action to help economically disadvantaged people who rely on social assistance to meet their basic needs. I am announcing a four per cent increase in social

assistance rates to take effect on January 1, 1986. In addition, I am providing the resources to increase the shelter subsidy to relieve some of the pressure attributable to high shelter costs in urban areas. Additional funds have also been allocated to provide increased benefits for the children of social assistance recipients and for handicapped children in particular. The Minister of Community and Social Services (Mr. Sweeney) will present the details shortly.

As a major step in strengthening the partnership between the provincial government and its major transfer recipients, I am acting to provide greater certainty in their funding. Accordingly, I am announcing that these transfer recipients will receive a further four per cent increase in their basic transfer payments for 1987-88.

At the beginning of my remarks, I reported that the federal Minister of Finance, Michael Wilson, had recently confirmed his intention to proceed with the cuts in funding for federal support for health and post-secondary education. In his May budget, the Minister of Finance also announced a number of tax measures which I believe move our overall income tax system in the wrong direction.

His budget proposes to grant individual Canadians a lifetime capital gains exemption of \$500,000. In its present form, this federal capital gains exemption will reduce Ontario's revenue by as much as \$125 million in 1986-87 alone. This measure will provide another large tax break for higher-income Canadians at a time when limits on indexation and the elimination of the federal tax reduction program will increase the burden on low-income taxpayers. Exempting capital gains will do more to stimulate speculation in real estate and foreign securities than to encourage productive investment in Canadian business.

The benefits of this exemption should be directed only to small Canadian businesses and to family farms. I believe the federal government should alter its capital gains tax exemption along these lines. In the meantime, Ontario Treasury officials are developing proposals to amend Ontario's tax collection agreement with the federal government that would ensure the continued provincial taxation of capital gains other than those gains arising from the disposition of family farms and small Canadian businesses.

A positive aspect of the May budget was the announcement of the federal government's intention to introduce a minimum personal income tax. This fall, the federal government is expected to announce the specific form of its minimum tax



which, if appropriate, I intend to parallel with a similar provincial tax.

Our assessment of the province's financial situation indicated that the existing revenue structure was not adequate to meet the increasing cost pressures associated with providing services to the people of Ontario within a framework of fiscal responsibility. We also recognize the pressures created by the federal government's plans to reduce its transfer payments to the province for health and post-secondary education.

Accordingly, I will introduce a number of measures to raise additional revenues. These measures recognize the need to improve the fairness and equity in Ontario's tax system.

I will introduce legislation to raise Ontario's general rate of personal income tax from 48 per cent of basic federal tax to 50 per cent beginning with the 1986 tax year. The measure will yield \$26 million in 1985-86 and still leave Ontario with the third-lowest rate in Canada.

I also propose a surtax of three per cent of Ontario income tax in excess of \$5,000 for the 1986 taxation year. This surtax should affect only the top 2.5 per cent of tax filers in Ontario, those earning \$50,000 a year or more. It is expected to yield \$2 million in 1985-86.

Although the federal government has proposed to eliminate its low-income tax reduction program for 1986 and subsequent taxation years, Ontario's tax reduction program will be enriched. This move will exempt another 50,000 individuals from Ontario tax, and it will mean that 350,000 low-income Ontarians will pay no provincial income tax. Another 40,000 Ontarians with modest taxable incomes will have their Ontario income tax reduced.

Fairness requires an appropriate balance between the taxation of individuals and that of the corporate sector. Accordingly, I am introducing changes to the taxation of corporations.

First, I will parallel the federal half-year convention that applies to the level of tax depreciation allowed on capital assets purchased by corporations. Adoption of this convention recognizes the inappropriateness of providing corporations with a full-year deduction for capital assets that may have been purchased at the end of the year. This measure is expected to increase provincial revenues by \$15 million in this fiscal year. Appropriate transition provisions will be made.

**4:40 p.m.**

Second, I propose to eliminate the three per cent inventory allowance in Ontario's corporate income tax. This allowance was introduced in

1977 to reduce the impact of high rates of inflation on inventories. With the recent decline and the prospect of stability in inflation rates, the rationale for this measure has disappeared. Elimination of the allowance is expected to increase provincial revenues by \$15 million in 1985-86.

Finally, to reduce record-keeping and compliance costs for small business corporations in Ontario, I will parallel, in Ontario's Corporations Tax Act, the small business tax simplification measures introduced by the federal government for taxation years ending after December 31, 1984. To ensure that future revenue losses are offset within the corporate sector, I am proposing to balance this measure with a one-half-percentage-point increase in the provincial corporate income tax rate, excluding the low 10 per cent rate applicable to small business.

To begin to meet the government's commitment to improve the fairness of the retail sales tax, I propose the following tax changes: a tax exemption for prepared food products sold for \$1 or less.

[Applause]

**Hon. Mr. Nixon:** I appreciate the signs of support.

The removal of retail sales tax on feminine hygiene products and a tax exemption for children's car seats; one can find several of those in our family recently.

I also propose an indefinite extension of the tax rebate on accommodation tax paid by out-of-province visitors. That is a support for our tourism industry. I anticipate the revenue cost of these measures will be \$7.5 million in 1985-86.

In addition, I intend to reinstate the tax on Maple Leaf gold coins, yielding \$600,000 this fiscal year.

I am introducing legislation to repeal the ad valorem taxes on motive fuels and tobacco introduced in 1981 and replace them with specific amounts of tax per unit of product. Future tax changes will not be automatic. They will require approval of the Legislature. We on this side believe in democracy.

For motive fuels, the legislation, upon royal assent, will set the tax rates at 8.8 cents per litre for all grades of gasoline and 9.9 cents per litre for diesel fuel. Other rates will be adjusted accordingly. Nonconventional fuels will continue to be exempt from motive fuels taxation.

These fuel tax measures will yield additional revenues of \$12 million in this fiscal year.

For tobacco, the legislation I am proposing today, upon royal assent, will set tobacco tax

rates at 2.7 cents per cigarette and 1.5 cents per gram of cut tobacco.

One of the issues raised during my prebudget consultations was the urgent need for mining tax reform. In response, I am proposing modifications to simplify the mining tax system in Ontario and to streamline the administrative provisions of the Mining Tax Act. These changes will be accomplished without any loss in revenue. Under this proposal, the graduated rate structure would be replaced with a flat 20 per cent rate of tax and the processing allowance structure would be scaled back.

The Minister of Northern Affairs and Mines (Mr. Fontaine) will introduce legislation with a view to implementing reforms by April 1986. This will allow ample opportunity for discussion and consultation before the new measures take effect. I am confident that updating Ontario's Mining Tax Act will have a positive effect on this industry, which is vital to the economic health of northern Ontario.

**Mr. Foulds:** Is that your industrial strategy for the north?

**Hon. Mr. Nixon:** It is not a bad start.

Liquor, wine and beer markups will be increased. To reflect a part of the inflationary changes since the last adjustment in 1976, special occasion permit fees and levies will also be increased. Both of these changes will become effective November 12, 1985, and together will increase revenues by \$19 million in 1985-86.

Adjustments in motor vehicle registration and annual driver's licence fees will yield \$11 million in this fiscal year.

The land transfer tax will be restructured and rates increased to 0.5 per cent on the first \$55,000 and one per cent on the balance. An additional 0.5 per cent on the value in excess of \$250,000 will be applied on certain residential properties. The land transfer tax amendments will generate an estimated \$6 million in additional revenue this fiscal year.

To better ensure value for taxpayers' dollars, our examination of the financial position of the province included a review of the \$181 million in commitments made by the previous government between the May 2 election and June 26. More than \$41 million in spending was trimmed from that total.

Further reviews of the proposed spending plans of each ministry were conducted. In total, constraints of more than \$260 million were applied to keep spending under control. Specific actions included the elimination of three policy secretariats, a review and reduction of proposed

advertising expenditures, and across-the-board reductions in government salary and wage spending.

The Premier has appointed a special adviser who is reviewing a number of government activities. This, along with actions I am taking in this budget, will help reduce government spending as a share of the economy. Expenditure growth will be kept to 7.8 per cent while the economy will grow at eight per cent.

To reinforce the actions and policies I have announced, I am also proposing to streamline some agencies, to consolidate certain government functions and to divest a number of crown corporations. Both capital aid corporations are no longer necessary and will be eliminated. The Ontario Land Corp. will be wound down and its residual holdings transferred to the appropriate ministries or sold as market conditions permit. The functions of the Ontario Energy Corp. are being reviewed with the objective of determining the desirability of divesting further assets.

As Treasurer, I am privileged to have access to a multitude of advisers on the economy, including several independent private and public organizations, for example, the Conference Board of Canada and the Institute for Policy Analysis of the University of Toronto. That is why I have decided to disband the Ontario Economic Council and eliminate the \$1.6-million annual expenditure related to its operation.

As a step towards eliminating duplication in the public sector, the government will transfer the Ontario Institute for Studies in Education to the University of Toronto.

The government has been reviewing the cost-effectiveness of its foreign operations. We will be examining methods to enhance our capacity to work in Washington. In the interests of improving Ontario's share of world trade, we will target our trade promotion efforts on the fast-growing markets of the Pacific Rim, the Middle East and emerging nations. To achieve these objectives, the government has decided to reallocate resources from other international offices and close posts in Brussels, Philadelphia and San Francisco.

The present Innovation Development for Employment Advancement Corp. will be wound down. In its place, a slimmed-down, tightly focused entity operating in the pre-venture capital area will be created.

Finally, to ensure that taxpayers receive better value for their tax dollars, there is a need for a comprehensive review of the effectiveness and



efficiency of all government activities. The Chairman of the Management Board of Cabinet (Ms. Caplan) will tackle this difficult and challenging task.

**4:50 p.m.**

The budget plan has been designed to fulfil our commitments in a framework of fiscal responsibility, I say again. The actions I have taken to discharge the Suncor debt, restore advances to school boards and correct unfunded commitments, must be clearly recognized as extraordinary, one-time items in the account. The total of those Suncor debts, the restoration to school boards and correction of unfunded commitments is just over \$500 million. Including these special items, net cash requirements for 1985-86 total \$2,213,000,000.

Without these one-time extraordinary measures the budget plan holds net cash requirements to \$1,695,000,000, a small but significant reduction from \$1,702,000,000 last year. It continues the downward trend in net cash requirements as a percentage of total government spending from 6.3 per cent last year to 5.8 per cent this year.

**Mr. Rae:** Go over that one more time.

**Mr. Speaker:** Order.

**Hon. Mr. Nixon:** Listen, I have to find the problems wherever they are here.

**Mr. Foulds:** That is worthy of the member for St. Andrew-St. Patrick (Mr. Grossman).

**Hon. Mr. Nixon:** All the facts are there. Just read it.

Without extraordinary items, revenues are projected to increase 8.4 per cent this fiscal year, reflecting both continued economic growth and the revenue measures I have announced. Expenditures are expected to grow at 7.8 per cent.

Details of this fiscal plan are included in the financial tables in the budget papers. I would like to draw to the attention of members the changes I have made in the financial tables to give a clearer and more detailed picture of the province's finances.

I believe the budget has benefited from the advice and counsel I have received from many groups in prebudget consultation. Accompanying the budget is a discussion paper entitled *Reforming the Budget Process*, which contains proposals to increase the involvement of the Legislature in the budget process and improve participation in prebudget consultations.

Before concluding, I would like to make some personal comments about the credit rating. The first thing I want to say is that I think Ontario's

credit rating matters. Credit ratings serve as a valuable guide for investors unfamiliar with the creditworthiness of each of the many thousands of corporations and governments that issue or guarantee securities. That is what they are intended to be and that is why the issuers of securities, including the Ontario government, pay the rating agencies to be rated.

In political terms, the value of the credit rating is lost when a government's ambition for its credit rating exceeds its ambitions for the province and for the people. In practical terms, while we value the triple-A credit rating, it has little significance. Having a triple-A credit rating does not provide needed jobs for young people, improve access to affordable housing or improve the quality and availability of health care.

This is not to say that fiscal responsibility or credit-worthiness is not one of our fundamental priorities. I believe this budget demonstrates our commitment to this objective. We have dealt in a businesslike manner with the outstanding budget problems that we inherited, including Suncor, and we have developed a responsible fiscal plan.

Together with the overall economic circumstances and outlook for our province, I believe that the security Ontario offers lenders for their investments is stronger than at any time in recent years. We are confident that this budget describes a fiscally responsible plan to finance the everyday business of government and to pay for the priorities of a new administration.

We have constrained unnecessary and unproductive expenditures and eliminated unnecessary agencies. We have brought new fairness to the task of raising the revenues needed to maintain the quality of public services and to meet new priorities. We have taken steps to improve the financial stability of local governments, colleges, universities and hospitals. We have opened up the books, removed accounting anomalies and written off overvalued assets.

Most important, we have announced and funded programs to implement the commitments made by the government as it assumed the responsibility for the public affairs of Ontario. The Premier, in establishing the priority of these programs, has emphasized jobs for young people and the growth of our economy, which will provide opportunities for all in this great province.

On motion by Mr. McCague, the debate was adjourned.

**Hon. Mr. Nixon:** Mr. Speaker, I request unanimous consent to revert to introduction of bills so that I may put the revenue bills before the House without delay.

**Mr. Speaker:** Is there unanimous consent from the House?

Agreed to.

### INTRODUCTION OF BILLS

#### ONTARIO ECONOMIC COUNCIL REPEAL ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Scott, first reading of Bill 41, An Act to repeal the Ontario Economic Council Act.

Motion agreed to.

#### CAPITAL AID CORPORATIONS REPEAL ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Conway, first reading of Bill 42, An Act to repeal the Ontario Education Capital Aid Corporation Act and the Ontario Universities Capital Aid Corporation Act.

Motion agreed to.

#### ONTARIO LOAN ACT

Hon. Mr. Nixon moved, seconded by Hon. Ms. Caplan, first reading of Bill 43, An Act to authorize the raising of Money on the Credit of the Consolidated Revenue Fund.

Motion agreed to.

#### SMALL BUSINESS DEVELOPMENT CORPORATIONS AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Bradley, first reading of Bill 44, An Act to amend the Small Business Development Corporations Act.

Motion agreed to.

**5 p.m.**

#### CORPORATIONS TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Elston, first reading of Bill 45, An Act to amend the Corporations Tax Act.

Motion agreed to.

#### INCOME TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Riddell, first reading of Bill 46, An Act to amend the Income Tax Act.

Motion agreed to.

#### RETAIL SALES TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Keyes, first reading of Bill 47, An Act to amend the Retail Sales Tax Act.

Motion agreed to.

#### LAND TRANSFER TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Fulton, first reading of Bill 48, An Act to amend the Land Transfer Tax Act.

Motion agreed to.

#### TOBACCO TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Fontaine, first reading of Bill 49, An Act to amend the Tobacco Tax Act.

Motion agreed to.

#### FUEL TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Mr. Eakins, first reading of Bill 50, An Act to amend the Fuel Tax Act.

Motion agreed to.

#### GASOLINE TAX AMENDMENT ACT

Hon. Mr. Nixon moved, seconded by Hon. Ms. Munro, first reading of Bill 51, An Act to amend the Gasoline Tax Act.

Motion agreed to.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Nixon:** Just before the Speaker might be persuaded to call it six o'clock, I would like to indicate the business of the House for the remainder of this week and next.

Tonight, for second reading and committee of the whole, if required, we have Bill 38, the Municipal Election Act; Bill 8, the Mobility Rights Statute Law, and Bills 11 to 14, inclusive.

Tomorrow, Friday, October 25, we will hear the response to the budget by the official opposition, followed by the redistribution debate, if time permits.

Monday, October 28, we will have the budget response by the New Democratic Party, followed by general debate on the budget. Tuesday, it will be budget debate, afternoon and evening. Wednesday, the usual three committees may sit. Thursday, in the afternoon, private members' items are standing in the names of the member for Middlesex (Mr. Reyecraft) and the member for Brock (Mr. Partington). In the evening we will have budget debate. Friday, November 1, we will again have budget debate.

The House recessed at 5:06 p.m.



## CONTENTS

**Thursday, October 24, 1985**

### Statement by the ministry

Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:

**Anniversary of United Nations** ..... 1041

### Oral questions

Curling, Hon. A., Minister of Housing:

**Key charges**, Mr. McFadden, Mr. McClellan ..... 1043

Eakins, Hon. J. F., Minister of Tourism and Recreation:

**Amateur hockey**, Mr. Martel, Mr. Baetz ..... 1044

Elston, Hon. M. J., Minister of Health:

**Ambulance labour dispute**, Mr. Swart, Mr. Gordon ..... 1045

**Public health nurses**, Mr. D. S. Cooke, Mr. Gordon ..... 1047

**Haliburton Kawartha Pine Ridge District Health Unit**, Mr. Sheppard ..... 1052

Fontaine, Hon. R., Minister of Northern Affairs and Mines:

**Ontario Northland Transportation Commission**, Mr. Harris, Mr. Wildman ..... 1048

Fulton, Hon. E., Minister of Transportation and Communications:

**GO Transit**, Mr. Ashe, Mr. Dean, Mr. Breagh ..... 1045

Grandmaître, Hon. B. C., Minister of Municipal Affairs:

**Apartment conversions**, Mr. Philip, Mr. Shymko ..... 1049

Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:

**Summer wages**, Mr. Hennessy, Mr. Morin-Strom ..... 1050

Kwinter, Hon. M., Minister of Consumer and Commercial Relations:

**South African wines**, Mr. Warner, Mr. Runciman ..... 1050

**A and P Food Stores**, Mr. Morin-Strom ..... 1051

Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs:

**Rent review**, Mr. F. S. Miller, Mr. McClellan ..... 1042

Riddell, Hon. J. K., Minister of Agriculture and Food:

**Spills bill**, Mr. Villeneuve, Mr. McKessock ..... 1050

Scott, Hon. I. G., Attorney General:

**Toronto Apartment Buildings Co.**, Mr. McClellan ..... 1043

**Job opportunities for women**, Ms. Fish, Ms. Gigantes ..... 1046

### Petitions

**Roman Catholic secondary schools**, Mr. Villeneuve, Mr. G. I. Miller, Mr. Sheppard, tabled ..... 1052

### Report

**Standing committee on regulations and private bills**, Mr. Callahan, agreed to ..... 1052

**First readings**

<b>Time Amendment Act, Bill 40, Mr. McClellan, agreed to</b> .....	1053
<b>Ontario Economic Council Repeal Act, Bill 41, Mr. Nixon, agreed to</b> .....	1062
<b>Capital Aid Corporations Repeal Act, Bill 42, Mr. Nixon, agreed to</b> .....	1062
<b>Ontario Loan Act, Bill 43, Mr. Nixon, agreed to</b> .....	1062
<b>Small Business Development Corporations Amendment Act, Bill 44, Mr. Nixon, agreed to</b> .....	1062
<b>Corporations Tax Amendment Act, Bill 45, Mr. Nixon, agreed to</b> .....	1062
<b>Income Tax Amendment Act, Bill 46, Mr. Nixon, agreed to</b> .....	1062
<b>Retail Sales Tax Amendment Act, Bill 47, Mr. Nixon, agreed to</b> .....	1062
<b>Land Transfer Tax Amendment Act, Bill 48, Mr. Nixon, agreed to</b> .....	1062
<b>Tobacco Tax Amendment Act, Bill 49, Mr. Nixon, agreed to</b> .....	1062
<b>Fuel Tax Amendment Act, Bill 50, Mr. Nixon, agreed to</b> .....	1062
<b>Gasoline Tax Amendment Act, Bill 51, Mr. Nixon, agreed to</b> .....	1062

**Budget**

<b>Resolution, Mr. Nixon</b> .....	1053
<b>Statement, Mr. Nixon</b> .....	1053

**Other business**

<b>Visitors, Mr. Speaker</b> .....	1052
<b>Business of the House, Mr. Nixon</b> .....	1062
<b>Recess</b> .....	1062



**SPEAKERS IN THIS ISSUE**

Ashe, G. L. (Durham West PC)  
Baetz, R. C. (Ottawa West PC)  
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)  
Brandt, A. S. (Sarnia PC)  
Breagh, M. J. (Oshawa NDP)  
Cooke, D. S. (Windsor-Riverside NDP)  
Curling, Hon. A., Minister of Housing (Scarborough North L)  
Dean, G. H. (Wentworth PC)  
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)  
Edighoffer, Hon. H. A., Speaker (Perth L)  
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)  
Fish, S. A. (St. George PC)  
Fontaine, Hon. R., Minister of Northern Affairs and Mines (Cochrane North L)  
Foulds, J. F. (Port Arthur NDP)  
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)  
Gigantes, E. (Ottawa Centre NDP)  
Gordon, J. K. (Sudbury PC)  
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
Gregory, M. E. C. (Mississauga East PC)  
Harris, M. D. (Nipissing PC)  
Hennessy, M. (Fort William PC)  
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)  
Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)  
Martel, E. W. (Sudbury East NDP)  
McClellan, R. A. (Bellwoods NDP)  
McFadden, D. J. (Eglinton PC)  
McKessock, R. (Grey L)  
Miller, F. S. (Muskoka PC)  
Miller, G. I. (Haldimand-Norfolk L)  
Morin-Strom, K. (Sault Ste. Marie NDP)  
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue  
(Brant-Oxford-Norfolk L)  
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs  
(London Centre L)  
Philip, E. T. (Etobicoke NDP)  
Poirier, J. (Prescott-Russell L)  
Rae, R. K. (York South NDP)  
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)  
Runciman, R. W. (Leeds PC)  
Scott, Hon. I. G., Attorney General (St. David L)  
Sheppard, H. N. (Northumberland PC)  
Shymko, Y. R. (High Park-Swansea PC)  
Swart, M. L. (Welland-Thorold NDP)  
Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
Warner, D. W. (Scarborough-Ellesmere NDP)  
Wildman, B. (Algoma NDP)





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No. 30

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 33rd Parliament**

Thursday, October 24, 1985

Evening Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC

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## CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 24, 1985

The House resumed at 8 p.m.

## MUNICIPAL ELECTIONS AMENDMENT ACT

Hon. Mr. Grandmaitre moved second reading of Bill 38, An Act to amend the Municipal Elections Act.

**Hon. Mr. Grandmaitre:** The purpose of this legislation is to enfranchise certain persons who are currently not eligible to vote in the November 12 municipal elections and to bring the Municipal Elections Act into conformity with the equality provisions of the Canadian Charter of Rights and Freedoms.

The present legislation prohibits certain individuals from voting in municipal elections. These are some psychiatric patients, all inmates in correctional institutions and all judges. Effective the November 12 elections, all psychiatric patients, inmates of penal or correctional institutions who are not serving a sentence, and all judges will be entitled to vote in municipal elections. Inmates of penal institutions who are serving sentences will continue to be disqualified.

The legislation also amends the act by deleting reference to the citizenship qualification of other British subjects. However, this change will not come into effect until July 1, 1988. Persons who are currently British subjects but who are not Canadian citizens will be given an opportunity to become Canadian citizens during the three-year period. They will be able to continue to vote in any new elections, by-elections that is, which are held in their municipality until that date.

The legislation also provides that psychiatric facilities be added to the list of places that are required to have polling places. A polling place is also required in any institution of 20 beds or more where chronically ill or infirm persons reside and in retirement homes of 50 beds or more.

Inmates who are not serving a sentence will be permitted to vote by proxy in a municipality in which they normally reside. My ministry will supply all correctional institutions involved with copies of form 1 and an information sheet advising of the qualifications of electors, a procedure similar to that used by the chief election officer in the last provincial election.

The interested qualified inmate completes the form and mails it in or gives it to the person who is going to be his or her voting proxy. The proxy voter must be qualified to vote in the municipality in which the inmate is entitled to vote.

In order to ensure that all psychiatric patients, inmates and judges are qualified to vote in the November 12 election, the changes have been made retroactive to September 3, 1985, the beginning of the enumeration and qualification for municipal elections.

**Ms. Fish:** I rise to indicate our strong support for the principles enunciated in the bill and for the changes that have been brought forward, particularly those to alter the criteria for eligible electors in municipal elections.

Our concern focuses on a very narrow part of the bill, which is the set of procedures mandated in the legislation before us to bring some of those changes into effect for this municipal election that is coming upon us in just a little longer than two weeks' time. The concern is in the direction of the ability of municipalities, their various clerks, election officials and so forth, to implement properly the requirements of the bill.

Specifically, we are concerned that the changes brought forward in the bill that require retroactivity to enable the voters' list to be deemed to have included those in penal institutions and in psychiatric facilities, and judges, achieve one half of a terribly important element in municipal elections; that is to say, speaking to who by category may be eligible to be on the voters' list to act as an elector.

Under the Municipal Elections Act, however, that also identifies those by category as distinct from and perhaps in addition to those who may stand as individuals for municipal office, since the requirement is that one must be an eligible elector to stand.

Our concern is that in one respect the nomination date has closed and we are in a circumstance where people who were not, and apparently will not be even after this legislation is passed, eligible to run for municipal office, by virtue of nominations being closed, are none the less, through the provisions in the bill for retroactivity, placed upon the voters' list. If they had been properly enfranchised in the period

when the list was open or if there had been some extension or change to the list or to the nomination day, then they would have been eligible to run for municipal office.

**8:10 p.m.**

We are concerned about the anomalous circumstance that provides and we have conveyed to the minister, and wish to convey through you, Mr. Speaker, to other members of the House, the fact that this concern has been raised by several municipal clerks across the province.

The city clerk of Toronto wrote on this matter as recently as today, expressing a concern about the impact of such a proposed change and whether it would in any way call into question the validity of the election or of nomination procedures that place people properly in nomination under, if I might phrase it this way, the old rules.

The second concern is an implementation concern that relates solely to this election because of the compressed time we are dealing with, looking at slightly more than two weeks. It is the requirement for polling stations, and returning officers who would come along with that, to be properly staffed to be able to deal with it. I do not think the additional polling stations are obviously mandated; otherwise we would clearly not be moving in the legislation to speak to the requirement that there be polling stations in these areas. There is also concern about the handling of the special proxy forms being used for this particular election and the arrangements for the proxy on that.

They are related issues. They deal with the training of the municipal officials to handle the question and with their ability to have all the necessary people in place and all the necessary arrangements made to be able to properly implement, administer and discharge the intention of this bill and the letter of this bill which would, of course, enfranchise people for this election with slightly more than two weeks to go before election day.

Once again, I refer to concerns that have been raised by the municipal clerks and returning officers. Those concerns are concerns of a procedural nature, if I can describe it that way. They are technical concerns and questions raised about the ability of our municipalities to respond properly and completely to ensure that if the changes are being made effective for this election, which is slightly more than two weeks away, they will be effective.

I share with the House the fact that the municipalities which have been in touch with us,

including the person who heads the Association of Municipal Clerks and Treasurers of Ontario, have indicated they are concerned that they will not be able to marshal their resources to implement the requirements of this bill.

In particular, a concern has been cited about the fact the head of the AMCTO, as late as noon today, had not been in receipt of a copy of the bill or of the requirements he understood should be coming forward for any implementation that would be required this year.

These are concerns that speak to the narrow focus of implementation for this election. Neither I nor any of my colleagues would wish to have the very legitimate raising of these concerns in any way confused with our very strong support for the principles of the bill, which alters the eligibility criteria to be elected in municipal elections, most particularly in the direction of expanding the opportunities for those who have previously not been enfranchised, and expanding them in accordance with the Charter of Rights and Freedoms.

**Mr. Breaugh:** We will support the bill, as we have for some time supported the principles that are contained within it.

It seems to me it does two or three pretty straightforward things. First of all, it moves us towards some conformity on the qualifications to be a voter in an election in Ontario for any purpose. Any move that would simplify that wonderfulness is useful in and of itself.

Second, contrary to what the previous speaker said, one of my concerns would be that there has been a new Charter of Rights and Freedoms in Canada for some time now. There are a lot of people who figure that because the federal Parliament of Canada has given them certain rights, the Legislature of Ontario should have paid some attention to those rights. On the other hand, I have heard a number of people complain to my office that it has taken so long for a bill of this nature to come before the Legislature. Since the province obviously knew what was contained in the Charter of Rights some time ago, why has it not moved to bring municipal elections into conformity with that new charter?

One concern I had was that perhaps some bright light out there might actually think laws mean something and that if there is a Charter of Rights in Canada which says that certain people have some rights, such as the right to vote, and if a provincial act does not provide for them to do so, he might decide to go to court and see whether his rights would stand up. It might complicate the whole municipal electoral process if someone



decided he should challenge the validity of a municipal election in which his rights had not been guaranteed by provincial legislation.

The other area we should think about a little, simply because some people have raised it, is the matter of whether various municipal offices can cope with changes of this nature. I, too, received a letter from the city of Toronto today saying that it would have some difficulty with this. On the other hand, when I stop to think of the practical aspects of it, we are not asking a great deal here. The onus will still be on the electors to get on the enumerated voters' lists, so they will have to take some initiative in that regard.

For practical purposes, some municipalities will be asked to set up a polling station in a psychiatric hospital. If there is a municipality in Ontario that cannot figure out how to set up a polling station between now and November 12, that municipality has itself some problems.

In my own area, the town of Whitby has a psychiatric hospital. About four weeks ago there were newspaper stories saying that the psychiatric hospital, the Canadian Mental Health Association and the clerk in the town of Whitby all thought some change of this kind would happen and they were all prepared for it three weeks ago.

Whitby is a remarkable place for a number of reasons, but it does not have a huge municipal staff. If Whitby can do it, that is not a bad little milepost for the rest of Ontario. There is a middle-sized Ontario community that has been aware changes of this kind were imminent and took the steps to prepare itself for them. It does not have a huge task in front of it, but it will frankly have no problems, I am told, in implementing this bill.

There may be a few people who are a little nervous about some of the fine points around the edges. We have to balance that against whether we are prepared to deny someone a right, which is the right to vote. This is a pretty fundamental right.

If in the process of passing this act tonight we cause people in municipal offices some anxiety for the next few days, what can they do? They will have to give themselves a pay raise, take a good Scotch and get over the problem. It is an administrative problem they have to resolve. I believe most of them have the capacity to do that. I believe if we do not do it, we invite a challenge under the Charter of Rights to all the municipal elections that will be held this fall.

In closing, I want to praise the minister for responding rather quickly, because he has not been the minister very long, to something that

was an apparent need. Many people think it is an important change. It is not going to create millions of new voters for the November 12 municipal election, but it will allow those who are covered by this act the opportunity to vote without having to hire a lawyer, go to court and challenge in a legal sense, so I commend the ministry for responding.

I cannot help noting in passing, and I suppose I should not do this, that those changes in the federal charter were around for a long while before this minister became Minister of Municipal Affairs (Mr. Grandmaitre). I would have thought that on something as fundamental as this we would have seen some movement earlier.

[Applause]

Do not get carried away with a demonstration of affection like that. The member is pushing me. I do not mind giving him a little credit. Just do not kiss me for it, that is all.

I believe this is worth doing. I believe the House should do this tonight. I believe it can be handled in most of our municipalities without any great difficulty at all. I do appreciate the concerns raised by the city of Toronto. In a large urban centre some work will have to be done in the next few days. I believe they are capable of doing it.

8:20 p.m.

**Mr. Cousens:** Before I begin my comments, I would like to commend the Minister of Municipal Affairs, who brings good intentions to his office. He certainly deserves our respect. What he is trying to do is address a concern raised through the previous legislation our government brought in not long ago giving certain rights to vote to people in the province, having to do with citizenship and where they are at the time of elections. If they happen to be interned and are found not guilty or if they happen to be in a certain kind of residence, it was considered previously under our jurisdiction and legislation that they be given that right.

I have great problems with this bill being retroactive. The intentions may be honourable, but the implementation is going to be terrible. The member for St. George (Ms. Fish) has spoken very well on it. I would like to reiterate some of the points she made in the best interests of the people of this province. The people of Ontario do not like surprises. They do not like to wake up suddenly and see that big changes have taken place.

**Hon. Mr. Scott:** May 2.

**Mr. Cousens:** We have seen some changes and we are still trying to get used to them. There is an evolutionary and educational process, a breaking in to make sure everybody is aware of what is happening. If a government, as it is doing now, says something is backdated, it is no wonder people will have trouble dealing with it because they are just going to find out about it tomorrow.

Very few people in this Legislature know the impact and effect this change will have. No one knows how many municipalities are in a position to establish a polling place where it is going to be required under subsection 47. That is not going to be a simple task. They will have to arrange it and do it. That is only one of many aspects.

I agree with the member for Oshawa (Mr. Breagh). They can do it. They are responsive. However, an election campaign is a very busy time for clerks and municipalities. They have an awful lot to do just to keep things going properly as it is under the existing legislation, which is probably a little onerous. To have a change in the middle of the election further exacerbates their problems.

The people who will be eligible to vote also need to have a full opportunity to understand the process of who the candidates are. As it turns out now, the nominated candidates were duly nominated effective yesterday or Tuesday—whenever it was, two days ago.

**An hon. member:** Monday.

**Mr. Cousens:** Monday. Then they had Tuesday to cancel out. Already the people who are considering whom they are going to select and vote for on November 12 will have had a chance to think about it. The people we are talking about have not had that chance. Many of them, not knowing they would have the right to vote, are not prepared. Surely to goodness they should have the opportunity to be better informed.

Then we come to the major question of retroactive legislation. Is this going to be a precedent for this government? Is that going to be the way it is going to operate, with retroactive legislation on things of its own choice?

**Mr. Breagh:** Not like the way the member's government did with restraints for civil servants.

**Mr. Cousens:** There is no comparison. This is the beginning of a new regime.

**Mr. Warner:** That is right. It was very different.

**Mr. Cousens:** We did not do it there. It is the first bill we are going to be dealing with, which is

going to be passed and might even get to third reading in a very short time.

**Mr. Breagh:** The member is wrong again. It is not the first bill.

**Mr. Cousens:** Do the others count? This deals with the people in the municipalities of the province.

**Mr. Breagh:** So did the one that was dealt with the other night.

**Mr. Speaker:** Perhaps the honourable member would address the chair and disregard the interjections.

**Mr. Cousens:** The government is dealing with a precedent of retroactivity that I do not believe in and firmly oppose. It is not the way the people of Ontario like to see their government deal. They have been comfortable in the past and now suddenly the change is made. It should have been one of the pieces of legislation the government brought forward in the summer. There were other times when it could have been done.

**Mr. Breagh:** The previous government could have brought it forward last spring or last winter or last fall or the year before.

**Mr. Cousens:** All the better, but our government did not table it; the Minister of Municipal Affairs did.

**Mr. Breagh:** Or in the early 1930s.

**Mr. Cousens:** In spite of what my friend has to say—I really do not want to listen to him any more, but what can one do when his voice is so raucous and loud?

I would like to have some clarification on the point of retroactivity from this government and from the minister himself. How many more retroactive bills will he be bringing in? Is this going to be a common thrust? I believe any time we make this kind of legislation or any legislation retroactive, we are dealing with a fundamental principle. That principle should be sacred. It should be protected. We should not be coming back to the people of Ontario and surprising them with changes.

I would like to raise another concern, which has to do with the very sensitive area of the people who will be receiving the vote. Under the whole Charter of Rights and Freedoms we accept that the new Canadian Constitution opens up many new possibilities that heretofore had not been fully understood.

I know our previous government brought in similar legislation that affects people in psychiatric hospitals, who now have the right to vote. I am questioning whether this itself could be subject to legal questions. We are raising the



question about these people who have the right to vote under this legislation, but are they capable of understanding all the issues, ramifications and everything else that are there?

**Mr. Breagh:** If they voted for the member they do not.

**Mr. Cousens:** If they vote for anyone, what is going to influence their vote? How many of our members have been in psychiatric hospitals and are aware of the type of people who are now—

**Mr. Breagh:** The member is back out again now.

**Mr. Cousens:** Maybe the member's whole crew should be put in one psychiatric hospital, but they would still have the right to vote.

**Mr. Warner:** If one is really crazy he will vote for the member.

**Mr. Cousens:** I do not know. I would say that is one vote I would take. Who knows? Mr. Speaker, perhaps you could get these rabble-rousers to take a pill.

**Mr. Speaker:** I would remind the member this is not question period. You just asked the members a question then.

**Mr. Cousens:** I am asking you a question, Mr. Speaker. Could you exercise more control over these members? They have obviously been to someone's bar and enjoyed a little more than they should have, while those of us over here have been spending time—

**Mr. Breagh:** On a point of personal privilege, Mr. Speaker: He cannot accuse me of being at a bar unless he takes me there afterwards.

**Mr. Cousens:** I come back to the sensitive area of those people in psychiatric hospitals.

**Mr. Callahan:** I would like to place a point of privilege on your behalf, Mr. Speaker. I understood the member to say that if the Speaker exercised greater control over the members they would not act that way. Since you cannot claim the point of privilege, I claim it on your behalf.

**Mr. Speaker:** Thank you very much. However, I will now recognize the member for York Centre (Mr. Cousens).

**Mr. Cousens:** I thank the member. He is not only a fine member but a good chairman of committee. The Speaker undoubtedly—

**Mr. Breagh:** Kissy, kissy. Stop sucking up to these guys now.

**Mr. Cousens:** That is not very good parliamentary language.

We are dealing with an area that has to do with patients in psychiatric hospitals now having the

right to vote. I do not care how they vote, but are we being honest in saying they know how to vote? Having had some service as a psychologist in a mental institution, I have personally seen the kinds of patients who are there. I worry about the responsibility we are placing upon them.

I would be very interested in what the minister has to say on that, if he can answer in the very spirit in which I am asking it. Some of these patients barely know their background. They know their first name. They have been there for many years. They are frail in ways that they just do not fully understand what the world is all about, nor do they understand the responsibility of a mayor, a trustee or the services that are provided within the Municipal Act or by the municipal councillors and elected officials that they would be supporting for any office.

**8:30 p.m.**

I am just asking how the minister would deal with that. Are they capable of fully understanding the ramifications of their vote? Are they going to be susceptible to certain pressures that can be brought to bear on them by staff or people nearby who suggest to them how they should vote?

**Mr. Haggerty:** Does the member refer to the candidates or their agents?

**Mr. Cousens:** No, but we are opening up a big issue.

**Mr. Haggerty:** It is the same as what happened in the provincial election.

**Mr. Cousens:** The same thing. Anyone who votes for the member is going to face the same question. The last person they talk to will tell them something. That might have got him here. It is done again and again, and the member will keep getting re-elected because he is such a fine grass-roots politician. It is in the House that he is lacking.

**Mr. Speaker:** I am sure that relates to Bill 38.

**Mr. Breagh:** Hardly.

**Mr. Cousens:** I asked the minister if he could give some answers on the way in which people in those institutions are going to be able to understand the depth of importance of what their vote really means.

I do not think anyone in this House or in this province takes lightly the responsibility of voting and electing our representatives. Those of us who are among the 125 here, even you, Mr. Speaker, know how important that is.

**Mr. Cureatz:** Even you.

**Mr. Cousens:** Especially Mr. Speaker.

**Mr. Breagh:** How long are you going to endure these insults, Mr. Speaker? It is not right.

**Mr. Cousens:** I lay this one on the table and I would be very much interested in the minister's answers, even the possibility of his reconsidering that part of the bill.

**Mr. Speaker:** The member for Scarborough-Ellesmere.

**Mr. Warner:** Thank you, Mr. Speaker.

**Mr. Villeneuve:** The member for Oshawa is leaving.

**Mr. Warner:** He has heard this speech before.

There are a couple of very serious concerns which members should have with respect to the comments that were just made by the member for York Centre. The logical extension of his argument is a very frightening possibility.

The government has seen fit, where previous governments failed, to bring into conformity with our Charter of Rights the rights of certain people who previously were denied the opportunity to vote, to cast a ballot now in a municipal election.

What the member for York Centre is leading to is some kind of litmus test for individuals. Somehow one has to be a qualified voter, that is one cannot simply be a Canadian citizen and 18 years of age or over. The member wants to extend that. The extension of his argument means that one does not stop with persons who are incarcerated or in mental hospitals. From that stage, one moves to determining who among the general public should be entitled to vote, besides those who are simply 18 years of age and over and Canadian citizens. That is very disturbing. Obviously, it runs against the grain of democratic society. It is a very disturbing comment indeed.

**Mr. Cousens:** On a point of order, Mr. Speaker: In my remarks I made every effort not to identify any other area within the bill or any other area where people are eligible to vote. I was very specific on one group and I was not trying to draw any parallels or any other concerns to any other part of the electorate. I specifically selected that one group as an area of concern. I think the conclusions being drawn by the honourable member are faulty.

**Mr. Speaker:** Order. It is hardly a point of privilege. I know it is a point of personal explanation.

**Mr. Warner:** It is a point of backtracking. I am pleased to see that the member is backtracking.

**Mr. Cousens:** I was not backtracking. I ask the member to withdraw that.

**Mr. Speaker:** Order. I beg your pardon?

**Mr. Cousens:** The honourable member has called it backtracking. There is certainly no backtracking whatever.

**Mr. Speaker:** Order.

**Mr. Warner:** Your patience is being tested quite a bit tonight, Mr. Speaker.

I appreciate the principle involved that this bill will draw into line what we have attempted to do both federally and provincially, and that is that we view Canadian citizenship to be extremely important. It will only be Canadian citizens who will be eligible to vote in the next provincial election. That has been the case in the last two federal elections and, starting in 1988, it will be the case in municipal elections. That is a very important principle.

What was amusing to me were the arguments put forward by the Conservative caucus about retroactivity. Maybe it is a futile little stab at something they were apparently unwilling to do. Now that someone else has done it, it is a little bit of sour grapes I suppose. Where does one stab? There is not much to attack in this bill, so one looks at the retroactivity.

The argument really falls apart. The nomination date was Monday of this week and the bill was introduced prior to Monday, on October 17. For those folks who are now encompassed by the bill, if they had grandiose plans to run as candidates they knew the plans of the government full well as of October 17 and that includes the date when the bill would take effect. So the argument about retroactivity is so much fluff. The Conservative caucus is deeply disturbed that someone has done something it was unwilling to do; yet it is really a good piece of legislation and one which was long overdue.

I applaud the legislation and will support it when we vote on it.

**Mr. J. M. Johnson:** I support the bill in principle. I was chairman of the members' services committee that dealt with our provincial legislation, which pretty well did the same thing several months ago. I support most of the concepts in the bill.

The one concern I have is basically the thoughts expressed by my colleague the member for York Centre. I am not referring to the retroactivity. He can handle that one. The concern I have is with psychiatric patients, the people who may not have the knowledge to know



what they are doing. I have a great deal of concern about this.

When the bill was first drafted this section was not in it. After the committee listened to presentations given by many people on behalf of these patients, we changed the legislation to allow it to happen. I can support it in federal and provincial elections because there are 70,000 or 80,000 people in a riding, but I wonder if there would be some concern in a small municipality with perhaps 1,000, 1,500 or 2,000 voters which may contain a home. It may have 70, 80 or 100 voters who may not know what they are doing. If they were influenced in some manner, it could have a dramatic effect on the election.

This is a concern. I served on municipal council for many years. Many elections are won by only very small numbers. Only 10, 20 or 30 votes can make the difference between winning and losing.

I am not opposed to the legislation. If it passes, I will accept it. In fact, I will vote for it, but I do express some very real concerns about the numbers. We are talking about a small percentage of votes deciding important elections. I am not sure whether there is some way we can address the problem, but I do want to raise it and I want members to consider whether there is some way we can make some adjustment that will accommodate the right of these people to vote without achieving an abnormal situation during an election in a municipality that is very small and very dependent on a small number of votes.

8:40 p.m.

**Mr. Callahan:** I rise to speak on this bill because the explanatory note says, "The bill amends the act to conform to section 15 of the Canadian Charter of Rights and Freedoms." Subsections 15(1) and 15(2) of the Canadian Charter of Rights and Freedoms, in a nutshell, really create equality amongst all people in this country.

If we go back a little bit in history, we will recognize we required that any person who wished to vote, particularly in municipal elections, had to hold real property. At the municipal level one is directly affected by the quality of the candidate one elects, or you have the eligibility to run yourself, if cheesed off with the quality of the candidate who runs, in order to protect one's property.

It seems to me the explanatory note is in effect an effort to take out the words "British subject" and to put everybody into the category of Canadian citizen. I suggest to the members and to the minister that if one owns property, resides on

it and is affected by the decisions that are made by a municipal council or if one does not like what the council does, and is disfranchised from running for that council, an inequality is being committed and subsection 15(1) has been breached.

As a new boy on the block, I do not know how we deal with it, but I would expect this matter should be sent to committee to consider the point I have raised. It may be an unusual situation, which would never have happened during the 42 years of Conservative government, for a member to rise and speak not against a bill but by way of asking for clarification of it. However, this government believes in open government and allows its members to stand up and make a statement if they feel the interpretation of a bill perhaps requires rethinking.

I want to go back over the point again. It is a late hour and there have been a lot of very important activities today with, I suppose, activities thereafter, but it is extremely important. Those people who have served on municipal councils will appreciate the argument that whether or not one is a Canadian citizen, if one owns property and resides in it—not the nonresident American, European or whoever who owns property and tries to exercise control through it within an area, but the person who lives there—one is most significantly and most directly affected by the closest government one has, the municipal government and the fact that it sets the mill rate at the school board level, at the municipal level or at the regional level.

I suggest this amendment will have the reverse effect. Instead of creating equality under subsection 15(1) of the charter, it will be fully challengeable under the Charter of Rights in that it deprives a property owner of the full rights that he has, and has to have, to ensure that his taxes are fairly set; that if he does not like the way they are representing him with regard to zoning and so on, he can run for council; or that if he does not like the school board coming in with a very high rate, he can deal with it. Therefore, I would ask that this bill, subject to the opinion of anyone else who wishes to speak on the matter, be referred to committee for purposes of addressing that issue.

If I am correct in what I am saying, the bill should be appropriately amended to open up votability or candidacy to any person in this province, be he a Canadian citizen or not, so long as he is a resident in the real property through which he is exercising that franchise or as long as he has a tenant. The committee may decide that a tenant is not appropriate because that would

allow foreign people actually to demonstrate through the electorate their wishes in our country, but certainly the question of ownership is appropriate.

I relate back to the arguments that went on during the drafting of the Charter of Rights. Very many people in this country were concerned because property rights were not protected in the Charter of Rights. I understand my colleague the member for Waterloo North (Mr. Epp) has a bill before this House. He has petitioned the provincial government. I am not sure where he is going to get doing that, but I suppose if we can get the concurrence of enough provinces we can move to have the Charter of Rights changed to protect that very essential right.

Having said that, and I have spoken briefly with the minister, I submit that if we pass the bill as it is we will be doing the reverse of what the explanatory note says. We will be creating a very effective charter argument, for anyone who cares to make it, that we are treating people in an unequal fashion.

I want to say one final word about my overall philosophy. As a Canadian who recognizes the fact this province and this country have been inhabited—and I think to the good—by people from all over the world, I think by passing this piece of legislation as it stands we are thumbing our nose at those people. We are saying to them: "You own property. You have taken the chances. You have taken the steps to buy property."

I have always found it difficult in a municipal election to go around and say to people who were not Canadian citizens: "Yes, you own your home. Yes, the municipal council can affect the taxes you pay. Yes, they can put zonings in place that are not in accordance with your residential area. But you have no right to run for office. You have no right to vote. You have no right to object." I hope the principle and the philosophy of the Charter of Rights and the opening up of Canada in a free fashion eliminate that type of actual or perceived discrimination.

I encourage my colleagues to vote that the bill go back to committee to look at that aspect. I am not speaking against the bill, which I think was a genuine effort to try to bring the matter into conformity with subsection 15(1) of the charter, but with all due respect I suggest we are doing exactly the opposite.

I submit that the effect of this is similar to the war cry of the Boston tea party. Taxation without representation is tyranny. The passing of this bill in its present form, despite its noble and good intentions, is the recry of that very phrase at the

time of the Boston tea party. These people own property and are being deprived, unless they are Canadian citizens, of their rights to object to the taxation and to participate in the representation that sets the taxation.

**8:50 p.m.**

**Mr. Sterling:** Last Tuesday evening I spoke on a matter regarding the municipal elections this year in my riding, particularly in the town of Kemptville. Considering the fact we are now involved in a minority parliament, in which I hope some of the stigma attached to a majority parliament will be lost and there will be some give and take, I am attempting to remedy a situation that I think has done a great disservice to an individual in Kemptville who has attempted to run for municipal office.

I do not believe something should be totally broken down before it is fixed; therefore, I am going to suggest that we put this bill into committee to amend one small section of the Municipal Elections Act, clause 36(1)(a). Amending this section will not remedy the situation for this individual, but it will prevent it from happening again.

For those individuals who were not here on Tuesday night, let me relate the events leading to my concern with regard to this section of the Municipal Elections Act.

On Friday, October 18, at noon, James Wrong submitted a nomination for the position of deputy reeve in the town of Kemptville. Being new to the process, he submitted only 10 names of people who had nominated him, and 10 people is the requirement under section 36. One other person eventually filed successful nomination papers for the position of deputy reeve, Howard Wilson.

One of the people who nominated Mr. Wrong knew she was not on the voters' list and therefore phoned and asked one of the assistants to the municipal clerk whether this would disqualify her from nominating an individual. The answer was that she had until Wednesday of the next week to make application to get on the voters' list.

There was no further communication between the clerk or the clerk's assistant and the candidate, or between the clerk or the clerk's assistant and this nominator. At five o'clock on Monday, October 21, which was the final day for nomination, the clerk looked at the 10 names and rejected Mr. Wrong's nomination for the reason that this woman was not on the preliminary list, nor had she made application to be placed on the list.



Under clause 36(1)(a), there are two requirements for one to have the right to nominate somebody. The first is that one must be an eligible voter for that position. The second is that one must be on the voters' list.

The anomaly of this situation is that Mr. Wrong had 10 eligible voters on his nominating paper. In fact the clerk knew, because of this woman owning property on Main Street and running a business, she was an eligible voter; however, her name was not on the list. Therefore, because it was not, as required in clause 36(1)(a) he excluded Mr. Wrong from the right to run for municipal office.

Mr. Speaker, this is not a great travesty for you, myself or anybody else, but it is a very unfortunate circumstance. It is important for this individual, who was encouraged to submit his name and who as a result of his not being successful in his nomination—

Interjection.

**The Deputy Speaker:** Order.

**Mr. Sterling:** Mr. Wilson was acclaimed to the position of deputy reeve and there is not going to be an election for that position. There is no fault on Mr. Wilson's part in any way, shape or form, but I am sure that even he does not feel comfortable in this situation.

I did interview the clerk. I called him and said: "Mr. Clerk, why did you not call up the candidate and say there is trouble with this 10th nominator? Why did you not go to the candidate and speak to him?" The clerk's response to me was that by involving himself in the nomination process he would be interfering and pulling politically for one candidate over the other. He emphasized in his conversation with me that the act is very clear that all of the obligation is on the person seeking nomination.

This section should be modified so there is only one requirement to be nominated for municipal office in this province, that a person must get 10 eligible voters to be nominated. That may mean a little more work for the clerk if the eighth, the ninth or whatever it is is not on the preliminary list. However, in my view, throwing that small bit of obligation on the clerk is not too onerous a situation to ask.

Therefore, I am going to ask the minister and the other members of the House to agree to put this bill into committee of the whole House and to consider a motion to amend clause 36(1)(a) of this bill. I know it would be very important to Mr. Wrong, and I think it is very important to the town of Kemptville. It is also very important when we see small problems such as this arise in

municipal politics that we continue to address them as they come forward. I ask for the indulgence of each and every member in that regard.

**Mr. Reville:** I rise to speak in favour of the bill. I had thought that when the bill came forward the only concern we would hear from the members of this House would be a concern similar to that expressed by the member for St. George (Ms. Fish). I too got an anxious phone call from the clerk of the city of Toronto expressing concern about the administrative problem that might arise from the lateness of the bill, but I have a lot of faith in the ability of the municipal officials and I am sure they can cope with the problem.

I was surprised and amazed to hear some of the comments of other members of the House. The member for Carleton-Grenville (Mr. Sterling) does indeed raise a bizarre anomaly, but I fail to see how it is relevant to the nature of this bill, which is after all in great part to deal with those who have a disability under the Charter of Rights and Freedoms. I am sure the member for Carleton-Grenville will not be surprised to know that those of us who have found ourselves in the situation of requiring 10 qualified electors to nominate us sometimes get 20 on the list to make sure this particular eventuality does not occur and leave us without a candidacy when the nominations close.

**9 p.m.**

I was much more concerned listening to the comments of the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) and the member for York Centre (Mr. Cousens). I am sure they are concerned that all electors should exercise their franchise in a totally rational way, but I fail to see the kind of test that might be administered to an elector to ensure that he did exercise his franchise in a way that would be considered by a consensus of people to be rational.

I am mindful of a story that every member of my caucus will have heard and perhaps will have been required to memorize. It was a story often told by a former leader of the party who now is ambassador to the United Nations. It describes an unfortunate situation that probably has never happened to a member of either of the other two parties, but clearly has happened to members of my party on occasion. One hopes it will never happen again.

I invite all who are professional politicians to think about occasions when they have done inside scrutineering and counted ballots. The

story relates to an area of the country where people had not yet seen the wisdom of supporting my party. None of the officials was a member of my party, except for one, who was Mr. Lewis.

They were counting the ballots and it went predictably as it had done for generations in the riding: Tory, Tory, Tory, Liberal, Liberal, Tory, Tory, Tory, Liberal, Liberal, New Democratic Party. A hush fell over the room and the ballot was passed from deputy returning officer to poll clerk to scrutineer. They inspected the ballot and determined it was valid, notwithstanding it was a vote for the NDP.

They went back and counted some more: Tory, Tory, Tory, Liberal, Liberal, Liberal, Tory, Tory, Tory, and on and on, when yet another offensive ballot was found—another NDP vote. It was also passed around the room to people with shocked and aggrieved looks on their faces who were wondering what to do. The deputy returning officer was a person of considerable leadership and he announced that clearly some person had voted twice.

The reason I tell this story, as self-deprecating as it may be, is to try to deal with the concern the member for Wellington-Dufferin-Peel elucidated in his remarks, which was, "In a close election, would it not be terrible if the deciding vote were cast by a patient in a psychiatric unit or a mental hospital?"

One wonders how one would be able to tell. One wonders what kind of franchise it is if it does not count in a close election. Having seen many ballots over the years when people in psychiatric facilities were not allowed to vote, I have seen some very strange ballots with comments written thereon and sometimes ballots on which an elector clearly voted for the wrong person.

People in psychiatric facilities ostensibly have a mental disability. That is not to say that all people in psychiatric facilities have those disabilities, although it is alleged that they do. I myself was unfortunate enough to spend a long time as a guest of a previous government in the Ontario hospital in Kingston. My fellow patients took a lively interest in the elections, although they were not allowed to vote. Clearly, they had the same range of political opinion that one might find among any group of people.

It seems to me intolerable that we would deny any citizen the right to vote by virtue of a disability. We clearly have been working on trying to make polling stations accessible to the physically disabled and we do not find that the lack of a leg should somehow prevent somebody from voting.

I am particularly concerned, knowing that the member for York Centre (Mr. Cousens) is a psychologist. For him to say that a patient in a mental hospital might not be able to form an opinion about whom to vote for and what the issues of the day are is a shocking commentary on how people who are not laymen view mental disabilities.

I strongly urge people who may hold the view of those two members to think very carefully and try to do some investigating. My view is that the last provincial election was not rendered somehow invalid because people from mental hospitals exercised their franchise.

**Hon. Mr. Grandmaitre:** The members for St. George, York Centre, Brampton (Mr. Callahan), and Wellington-Dufferin-Peel have brought up very interesting possibilities or subjects. However, it is time this House recognized that the very same procedures were used in the last provincial election. I agree with my honourable friend that the provincial election was a well-run affair.

My intention this evening is to enfranchise these people with the right to vote. These people have been disfranchised for a number of years. My intention this evening is not to say that I am a better-qualified person than anyone else to say this person is or is not qualified to vote because he or she is a psychiatric patient. I will let the good Lord prescribe this.

We need to respect these people. If ever, in the future, these people are not known to be part of this world, we will have to deal with it at that time. I would like to respect inmates, judges and psychiatric patients in the very same way I treat my friends in this House.

The amendment that was brought by the member for Carleton-Grenville is out of order because it is not amending this bill. I can assure the member I am willing to look at the possibility of amending the act. He brings out a very good point, but it is too late to provide this amendment to reflect his intentions for the November 12 election.

Also, I can guarantee the member for Brampton his concerns. British subjects will be part of an intense study on behalf of my staff. His point is well taken.

**Ms. Gigantes:** The tenants as well. The minister has to examine what he said about tenants.

**Hon. Mr. Grandmaitre:** As well as tenants. I would ask the indulgence of the House to support second reading of this bill.



Motion agreed to.

Bill ordered for committee of the whole House.

9:10 p.m.

House in committee of the whole.

### MUNICIPAL ELECTIONS AMENDMENT ACT

Consideration of Bill 38, An Act to amend the Municipal Elections Act.

**Mr. Sterling:** I have delivered my amendment to clause 36(1)(a) of the act. I have explained my feelings on it and my support for such an amendment during the main debate on second reading.

**Ms. Gigantes:** Tell us again. Let us hear the story.

**Mr. Sterling:** If the member for Ottawa Centre (Ms. Gigantes) would like me to go to the top with my argument—

**Mr. Chairman:** Excuse me. Are there any other amendments? I would like to chase these out of the woods first.

**Mr. Cousens:** I would like to see an amendment to subsection 11(1), to change “from the third day of September 1985” to some future date which we can arrange. I would like to look at the date of the implementation of this.

Second, the minister did not respond in any way—he is not listening now. I will wait until he is listening.

**Mr. Chairman:** It appears we have only two amendments to be proposed.

**Mr. Cousens:** On the matter of retroactivity, the minister did not comment. Maybe before we get going, I could hear his comments on it. In his summary speech, he did not make any reference to it.

**Mr. Chairman:** The minister will have time to—

**Mr. Breagh:** Mr. Chairman, on a point of order: I appreciate some members are expressing hurt feelings, but do you have two amendments in front of you?

**Mr. Chairman:** Yes, I do.

**Mr. Breagh:** I do not.

**Mr. Chairman:** I have no amendments yet, but they will be proposed on a new section 36 and an amendment to existing section 11.

**Mr. Breagh:** One, I see. I am happy to entertain amendments when people take enough time and care enough to write them out and stick them in front of our faces, but I am not prepared

to take amendments off the top of members' heads. The Chairman knows full well the rules require that we at least get that much notice, that we see an amendment as soon as possible. I do not think the chair is in order to see amendments which are verbal.

**Mr. Chairman:** The standing orders say it will be placed two hours ahead if practicable.

**Mr. Breagh:** I think it is quite practicable and I would want a ruling on it.

**Mr. Chairman:** We have one written motion in front of us. There will be another one coming, I am advised by the member for York Centre (Mr. Cousens). Before we deal with it, we—

**Mr. Breagh:** I am also going to ask you to make a ruling on how exactly we go about amending a section that is not in the bill.

**Mr. Chairman:** We have not had the motion read out. I have a written motion in front of me, but it has not been proposed by the member for Carleton-Grenville (Mr. Sterling) yet. When he has moved it, we will deal with your problem.

**Mr. Breagh:** I do not have a problem, but your problem is growing by the moment.

**Mr. Sterling:** I would need the indulgence of the members of the Legislature to move this. I move that clause 36(1)(a) of the said act be repealed and the following substituted therefor:

“(a) shall be signed by at least 10 electors who are entitled to vote in the election to such office.”

**Mr. Chairman:** I have to rule your motion is out of order because you are not proposing to add a section. You are proposing to amend the act but not the bill in front of us. You are proposing to amend a section of a different act from the one we are dealing with now.

**Mr. Sterling:** No, it is not a different act.

**Mr. Chairman:** You are talking about clause 36(1)(a) of the Municipal Elections Act.

**Mr. Sterling:** Yes.

**Mr. Chairman:** We are dealing tonight with Bill 38, An Act to amend the Municipal Elections Act.

**Mr. Sterling:** It is the same act.

**Mr. Chairman:** The section you wish to amend is not in the bill in front of us.

**Mr. Sterling:** I was asking the indulgence of the members of the House. I did not hear anyone object to the amendment being put forward.

**Mr. Chairman:** Are you asking for unanimous consent—

**Mr. Foulds:** He put it forward, but it is out of order.

**Mr. Chairman:** Are you asking for unanimous consent of the House?

**Mr. Sterling:** Yes, I am.

**Mr. Chairman:** Is there unanimous consent?

**Mr. Breagh:** Before you ask for unanimous consent, I might be predisposed to do that, but I fail to see how we can repeal section 36, which is not before us. I do not know how we go about repealing something that is not in front of us. That is my problem. Unanimous consent can do a great many things in here, but I do not think we can delete something from an act when it is not in the act.

**Mr. Chairman:** I have ruled the motion of the member for Carleton-Grenville out of order.

**Mr. Breagh:** Right.

**Mr. Chairman:** He has now asked for the unanimous consent of the committee of the whole House to have this placed in. There is adequate provision and precedent for this if there is unanimous consent of the whole House to have something in this bill that is not now in the bill.

**Mr. Breagh:** May I ask the Chairman to reflect on that for a moment or two and give us a sane explanation of how, even with unanimous consent, we could repeal a section of an act that is not before the House? Explain to me how that happens. I want to listen carefully to this carefully reasoned and logical response, and I anticipate that there will be a lot of Erskine May thrown into this one.

**Mr. Chairman:** I have ruled it out of order on the same reasoning that you are stating. The member is asking for unanimous consent, however.

**Mr. Foulds:** For what? To do what?

**Mr. Chairman:** For this motion to be considered in this bill.

**Mr. Foulds:** Mr. Chairman, on a point of order: It does not seem to me that the honourable member can ask for unanimous consent to do something that is out of order. Second, if you rule it out of order, the member has only one alternative, and that is to challenge your ruling.

**Mr. McClellan:** No. He is asking for unanimous consent and he is not getting it.

**Mr. Foulds:** I am not sure he can even ask for unanimous consent to do something that normally requires a bill—not just a motion, but a bill. We need a bill to amend an act. What he is proposing is an amendment to an act, an amendment that is not before us. I doubt that even the House can give unanimous consent under our standing orders to introduce a bill once this particular bill

is past second reading and into committee stage. He could ask for unanimous consent to introduce a motion; but his motion, the thing he is proposing, is not a motion at all but an entirely new bill.

**Mr. Chairman:** First, I have taken advice, and we do have precedent in this House to add a section in an amending bill that amends a section of the main bill, if I may call it that.

However, in what we have in front of us right now I am asking whether there is unanimous consent to deal with the motion of the member for Carleton-Grenville.

**Some hon. members:** No.

**Mr. Chairman:** No. Fine. There is not unanimous consent.

**Mr. Sterling:** Before the members say no—

**Mr. Chairman:** No, sorry. Order. Several members have already said the word “no.” That means there is not unanimous consent. Therefore, my ruling stands that this is out of order.

Section 1 to 10, inclusive, agreed to.

On section 11:

**Mr. Chairman:** Mr. Cousens' moves that subsection 11(1) be amended to read as follows:

“This act, except sections 3, 4, 6 and 7, shall be deemed to come into force on the first day of January 1986.”

9:20 p.m.

**Hon. Mr. Scott:** Mr. Chairman, on a point of order: The motion having been made, do I understand that the time for provision of that notice fixed by the rules has not been met, and that the time can be extended if it is practicable to introduce it only in the way the honourable member has done? Can he give us, in just one sentence, why it was not practicable to let anybody know about this before six o'clock?

**Mr. Chairman:** I am afraid I was paraphrasing when I said “where practicable.” Standing order 58 says: “When time permits, amendments proposed to be moved to bills in any committee shall be filed with the Clerk of the House at least two hours before the bill is to be considered, and copies...shall be distributed to all parties.”

**Hon. Mr. Scott:** On the same point, I presume the provision that requires that be done is as a convenience to the other members of the House who may want to have some notice of what is going to happen during the evening. That is why one has an order paper and requires these notices two hours ahead. For my own part, I am prepared to grant an exception if time did not permit. I fail to understand how an amendment to a bill which



has been on the order paper for some days did not permit notice to be given when my honourable friend was sitting in this very House this afternoon at four o'clock.

**Mr. Cousens:** This is fun, because all one has to do is look at the order paper and this bill is not on today's orders.

**Hon. Mr. Scott:** It was on yesterday's.

**Mr. Cousens:** Come on. Yes, it was. It is not on today. That is my first point.

The government has all the information. It is supposed to be open, and here is a classic example in which it did not share with us. Shame, shame. The minister is hoist with his own petard.

**Mr. Chairman:** Order. On the point of order of the Attorney General, it is quite often done here in committee that amendments pop out of the woodwork—often and irregular.

**Mr. Cousens:** Do not call me woodwork.

**Hon. Mr. Scott:** Surely he did not mean to say you are the woodwork.

**Mr. Cousens:** The Chairman has called me woodwork.

**An hon. member:** Wormwood.

**Mr. McClellan:** On a point of order, Mr. Chairman: It is correct to say the bill is not on today's order paper, but it was discussed at the House leaders' meeting this morning. The three House leaders agreed this bill would be called at eight o'clock this evening.

**Mr. Cousens:** I was in the House yesterday or the day before when the government House leader said it would be stood down. Now we are in a position where, if we are truly going to have committee debate, we should be able to address the bill.

Interjections.

**Mr. Chairman:** Order. Is the member for York Centre taking the technical position it is not on the order paper and therefore should not be dealt with, or does he wish to carry on with the debate?

**Mr. Cousens:** I am prepared to carry on with the debate.

**Mr. Chairman:** Fine. Would you do so, please.

**Mr. Cousens:** I would be agreeable if the minister wants to have it postponed for debate on another day so there is more time to consider it.

**Mr. Chairman:** Would you introduce your suggestion?

**Mr. Cousens:** The motion is on the table.

**Mr. Chairman:** Yes.

**Mr. Cousens:** All I can say is that—

**Mr. Breagh:** On a point of order, Mr. Chairman: The question of whether this bill would be debated tonight was presented at the conclusion of this afternoon's session by the government House leader, who told us at that time the order of business for this evening. I believe proper notice was given to the members.

There it is, handwritten on a scrap of paper. This is what passes for notice of an amendment to a bill. I might be happy to let this go if this were a word change or something that was not of any significance. The proposed amendment is a substantive one. It runs counter to the principle behind the bill in total. It makes a mockery of the system in which a bill before this House is presented and printed in a formal way on the order paper, for a member—not a rookie, not a new member, but an experienced one—to come in and write out in longhand on a scrap of paper and hand around an amendment which dramatically changes—in fact, defeats—the whole purpose of the bill.

I believe this amendment is out of order and I would appreciate a ruling on the matter.

**Mr. Chairman:** I do not find your point proper. As you know, in many committees we have handwritten motions and amendments placed in front of the committee at all times and in all forms. That is not an appropriate point of order.

Would the member for York Centre carry on, please?

**Mr. Cousens:** We are in committee and I would appreciate it if the minister would begin to respond to this. He does not have to say his final word, but—

**Mr. Mancini:** He does not have to respond to everything you say.

**Mr. Cousens:** I know, but he might just be so kind, because he did not do so in his remarks when he wrapped up on second reading. I would be most interested to know what kind of precedent is being set for this House to have retroactive legislation. I do not take it lightly.

What members are seeing is that spirit of co-operation. I sat in the chair when the member for Oshawa (Mr. Breagh) sent up handwritten pieces of paper we had to deal with that we could not even read. At least mine can be read. It might be substantive. I will say it is substantive and important. It is important for the people of this

province that we have an understanding that we are going to deal with the future and not the past.

It upsets me if we are going to keep on taking legislation back month by month or for many months and create problems because of it. That concerns me. I am standing in this House saying proudly I do not like retroactive legislation. I am not satisfied with the minister's answer about it. I would like to have a clearer understanding. If he does not clarify it, I will keep talking for a while.

**Mr. Breaugh:** I want to speak against the proposed amendments. I think it is fine for members to propose them in this way if the chair says so, although I must register my disgust with the chair's ruling.

The purpose of this bill is to provide the right to vote in this election for some people who I believe deserve the right to vote. Last year this House said so in provincial legislation. With all the due deliberation we can give a bill, we had second reading, took it off to committee and said that in a provincial election a judge can vote, people who happen to be incarcerated but are not under sentence can vote and people who happen to be patients in psychiatric hospitals can vote. I believe this House established that.

There may be those who want to have a little fun tonight and that is fine by me. It has been a long day and I am tired too. However, this is a serious matter for me. I believe these people have a legal right to vote in this country. This bill enforces that they will have a legal right to vote in this municipal election. That is not something I take lightly. We established a precedent in this House last year that they would have the right to vote in provincial elections. We had an opportunity to debate that in principle last year and we did so.

I believe this is a bit of an insult to those who have worked long and hard to see that fairness prevails. The provisions that allow them to vote in provincial elections will allow them to vote in this municipal election. This amendment, as unusual as it might be to have the chair accept it in this form, offends me grievously. I have worked long to see that this bill can be dealt with tonight. We have gone through the channels of having the bill printed. We have sought the agreement of the House leaders to put it forward. We have announced we would deal with the bill this evening at eight o'clock. It is hardly a surprise then that the bill is before us.

What is a surprise to me is that after we have dealt with it in principle, the chair has allowed a handwritten amendment that totally voids the process and speaks directly against the principle

of the bill. I believe the principle of the bill is important—not to me. I am not a judge, I am not incarcerated yet and I have not been a psychiatric patient yet, although being around here is liable to do some of those things to me. I believe it is wrong in a practical, procedural motion for the chair to have allowed it to happen. So be it. The Chairman made a ruling, and I do not feel like challenging the chair this evening.

More important, I believe the amendment itself is wrong. It is a wrong-headed notion, an old-fashioned notion and an insult to a great many people who have a legal right to vote in provincial elections. Surely that is the place where we can establish our benchmark. If they are good-enough citizens to have voted in last spring's provincial election, and they did, surely they are good enough citizens to be allowed the right to vote in this municipal election. That is what this bill is all about. That is what this process is all about and I believe in it.

**Mr. J. M. Johnson:** I am concerned about the comments of the member for Oshawa. He basically implied we are being perverse on this side of the House because we have some legitimate concerns about the bill. I respect the member for York Centre who expressed his concerns. I fail to understand why the member for Oshawa constantly has to interrupt the proceedings. If he simply wants to get on with the vote, so be it.

I think the minister has a responsibility to listen to the arguments placed before him and to respond to them. He has failed to do either. I am appalled by that attitude.

**9:30 p.m.**

**Mr. McClellan:** I do not want to take a long time on this, but I want to express some deep concerns. What we are dealing with is a statute, Bill 38—I stress this for the sake of my colleagues in the Conservative Party—which is lifted from Bill 7, which was introduced by the member for Cochrane South (Mr. Pope) when he was Attorney General. That bill was introduced into the assembly by the Conservative government last June and was given first reading on June 11, 1985. Presumably, it was approved by the Conservative Party members in caucus and they were prepared to proceed with the bill in time for the municipal elections this fall.

The bill has been in the public domain from June to October. It did not just emerge on October 17; it has been in our Orders and Notices for four and a half months. We have had an election in Ontario in which residents of mental health centres were permitted to vote.



I have the honour to represent the Queen Street Mental Health Centre in Toronto. Last May 2 the residents of the Queen Street Mental Health Centre cast their ballots in the provincial general election. I know it was an important day for them. I was at an all-candidates meetings at the Queen Street Mental Health Centre and the ballot was conducted in an orderly and successful manner at that facility.

The patients were able for the first time in history to exercise their rights under the Canadian Charter of Rights and Freedoms. I thought the Conservative government at least understood that what was good enough for purposes of a provincial general election was obviously good enough for the municipal elections this fall.

It is clear that the previous government intended—

**Mr. Cousens:** On a point of order, Mr. Chairman: The member is going off on a side track. This motion is on retroactivity, not on all the stuff he is talking about.

**Mr. McClellan:** If the member would try to listen, I was in the middle of a sentence in which I was saying the previous government clearly understood that this legislation would apply to the municipal elections this fall. That has to do directly with the point of retroactivity. The bill was introduced last June in plenty of time to be passed in time for the elections this fall. It was clearly the intention of the previous government to have this bill in place in time for this fall's elections.

The successor government has moved enabling legislation to make that a possibility. Now we have one or two members of the Conservative Party attacking it on the grounds of a spurious retroactivity. They are attacking the principle that certain people in this province have the right to vote.

That is too bad for them. We do not intend to allow them to deny that fundamental right of the franchise to citizens in this province who tend to have certain disadvantages. If members insist on making these arguments, which are pretty transparent in the light of the policy of the previous government in its own legislation, perhaps we could speed up the process and have a vote.

**Mr. Callahan:** The question of retroactivity is only relevant if we are taking away rights. What this bill is doing is creating rights. On the basis of any authority or any statutory interpretation, I submit retroactivity is permissible. If we were taking away rights, I would agree with my friend that it might be difficult, but we are giving rights

to people. As my friend from the third party indicates, those rights have already been recognized on the run of a provincial election. The question of retroactivity has no bearing or validity; it is a red herring.

**Mr. Cousens:** A couple of comments having been made, I would like to go back over a couple of points. I did raise a very sensitive issue in talking about psychiatric patients having a right to vote. I did that on second reading. The Chairman and all members of the House will notice that I have not gone forward with further recommendations or amendments to this bill on that matter, but I wanted to table my concerns.

I felt they were real concerns from where I sat and, as a legislator, I felt I owed that right to my own conscience, to the people I serve and to what I believe in. That is the right we have in this House. For other members to challenge my integrity or my motives on that is, I find, very offensive and not part of the good debate of this Legislature.

My spirit with this bill is one where—

**Mr. Warner:** Mischievous.

**Mr. Cousens:** When one is in the House, one stands up and is counted. I am prepared to stand up and say that I speak—

Interjections.

**Mr. Chairman:** Order. The member for York Centre has the floor.

**Mr. Cousens:** The day any member in this House cannot stand up, speak his mind and let his conscience show is a very sad day for this House. I find it offensive for other members to deplore that.

**Mr. Chairman:** You have made that point. Would you speak to the bill?

**Mr. Cousens:** I just want to make it loud and clear because their hearing seems to be impaired.

**Mr. Chairman:** Would you speak to the motion, please?

**Mr. Cousens:** May I just go ahead and say I would be most pleased if the minister, rather than members of the New Democratic Party, would respond to my questions.

**Mr. Mancini:** He has already done that.

**Mr. Cousens:** He has not.

**Mr. Swart:** I had not planned on taking part in this debate, but when the member for York Centre gets up to say he is against the principle of retroactivity, I cannot remain in my seat.

This afternoon there were a number of people in the gallery who work for the ambulance service in the Niagara region. One of the reasons

they were here and are now out on strike is the retroactive legislation passed by the former Conservative government to roll back wages. It was their wages that were rolled back.

The member for York Centre, who says he is against the principle of retroactivity, voted for that legislation and helped to pass a bill which retroactively tore up agreements that had been made in good faith. For a person to stand up in this House now and say they are against that principle is a degree of hypocrisy.

**Hon. Mr. Grandmaitre:** I find the member for York Centre very strange, and I can use this word "strange." He seems to agree that these people have a right to vote and that we should not interfere with that right. He is picking on subsection 11(1). He wants to delay. He wants to change the date from September 1985 to January 1, 1986, knowing very well that he will prevent these people from voting. That is exactly what he wants to do, but he is afraid to say it on his two feet.

**Mr. Cousens:** Is the minister saying this can be implemented without any problems? The minister has now been on his feet. The municipality of Metropolitan Toronto has already said it is going to have trouble with it. Mississauga is indicating it is having trouble. Can he say there is going to be no trouble?

**Hon. Mr. Grandmaitre:** I can answer the member. This is the first complaint we have received and we received it this morning. It is the only one. Municipalities and municipal clerks were told about this coming legislation through 40 seminars throughout 1985 and they were all prepared for it.

Just because we have received a complaint from the holy city of Toronto, the member wants to bend his knees and kiss its ring. The member should stand on his two feet and vote the right way.

**Mr. Cousens:** We are talking about an issue that involves my riding, which is north of Metro Toronto. I live north of Steeles Avenue. We are not even allowed the discounted rates on the Toronto Transit Commission, let alone any of the other services. They do not even look after the roads there. I have no desire to do anything special for Metro Toronto. I believe it deserves a fair shake, as does the rest of the province.

9:40 p.m.

I have asked some questions on it. I have tabled those concerns. I do not want to take more time in the House on this matter. I have expressed

a very legitimate concern and I feel better for having done so.

**Mr. Chairman:** All those in favour of Mr. Cousens's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Sections 11 agreed to.

Sections 12 agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Scott, the committee of the whole House reported one bill without amendment.

## MUNICIPAL ELECTIONS AMENDMENT ACT

Hon. Mr. Grandmaitre moved third reading of Bill 38, An Act to amend the Municipal Elections Act.

**Mr. Breagh:** I want to point out that it is rather unusual to have second and third reading in the same evening. We are prepared to do that tonight, but I do not want the members to get into the habit of trying to go through second reading, committee and third reading on the same night. That is not going to happen too often.

**Mr. Gregory:** I would like to echo the comments of the member for Oshawa (Mr. Breagh). When I was a part of the government, I recall there were objections and screams of anguish from the Liberal Party sitting across the way when we attempted to put through a third reading on the same night as the second reading, and almost the first reading.

A new precedent is being created here. As my friend the member for Oshawa said—he was not my friend a minute ago, but he is my friend now—

**Mr. Breagh:** My friend should choose his words carefully. It may be parliamentary, but it is still an insult.

**Mr. Gregory:** My friend should not be too insulted. I could have done worse; I could have called him a Liberal.

It is important that we not be too hasty on bills of this sort. This one bill is quite necessary, despite some reservations I have because of objections from my own community of Mississauga. Perhaps I will be called on the carpet tomorrow by the clerk of the city of Mississauga, or by the mayor, which is even worse, for having gone along with this. I think the bill is very necessary, and I do agree with the minister, despite the fact that he has not been too vocal in



giving people much information tonight, that this has to go.

It is important that we be very careful on the idea of giving three readings to one bill in one day. We have had much misfortune with this. This is the reason the previous Conservative government did not make it a habit of giving three readings in one day. I think the member for Essex South (Mr. Mancini) will agree that we made a couple of mistakes and did not do it again. We have to be very careful.

Some of the comments that have been made by my colleague the member for York Centre (Mr. Cousens) are quite valid in that the municipalities have a tight election schedule. By asking this tonight—

**Mr. Speaker:** Order. I think you are up on a point of order but now you are into debating the bill.

**Mr. Gregory:** Mr. Speaker, with all due respect, are we not talking about a vote on third reading? Are we not allowed to debate on third reading?

**Mr. Speaker:** Okay, go ahead.

**Mr. Gregory:** I am debating on third reading, is that right?

**Mr. Speaker:** Actually we are on a point of order right now.

**Mr. Gregory:** No, I am not on a point of order. I stood up—

**Mr. Speaker:** Order. The member for Oshawa got up on a point of order, and I understood you to say that you had some similar comments.

**Mr. Gregory:** Mr. Speaker, you called for a vote on the third reading. Normally in this House, as I am familiar with it, there is debate allowed on third reading.

**Mr. Speaker:** Right.

**Mr. Gregory:** That is what I am doing, sir.

**Mr. Speaker:** All right. I will call that shortly. The member for Oshawa was up on a point of order, and I thought you were on the same point of order. I understood you to say that.

**Mr. Gregory:** On the basis—

**Mr. Speaker:** Order. I would like to draw to the member's attention to section 61(b) of the standing orders: "A bill shall not pass more than one stage on one day if opposed by 20 members standing in their places." Therefore, the motion for third reading is before the House. If you have comments on it, I will recognize the member.

**Mr. Gregory:** I thought that is what I was doing. With respect to your position, Mr. Speaker, I know you have the rule book in front

of you. I was merely commenting. I can assure you my party is not going to oppose this; I am just pointing out to the members of the new government across the way that there is a certain hazard in calling third readings.

**Hon. Ms. Caplan:** Sit down.

**Mr. Breaugh:** Now the honourable member is getting some sense of power over there.

**Mr. Gregory:** Now they have that sense of power over there, they feel they can do no wrong; I assure them they can. They should not make the mistake of thinking they can do this too often, as my friend the member for Oshawa has said. If they try to do it next time, they may find a lot of opposition.

Motion agreed to.

#### MOBILITY RIGHTS STATUTE LAW AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 8, An Act to amend certain Ontario Statutes to conform to section 6 of the Canadian Charter of Rights and Freedoms.

**Ms. Gigantes:** It is with some trepidation that I raise a point on this bill, given the proceedings we have just gone through. I would like to ask why, when we consider bringing acts in Ontario into line with the Canadian Charter of Rights and Freedoms, we have not looked at the mobility restriction or residential qualification that exists for voters in the Ontario Election Act.

In several of the sections of this act we are dealing with removing discrimination on the basis of mobility and residence in Ontario. It is appropriate to ask why we should be demanding that electors under clause 6(2)(c) of the Ontario Election Act are required to have "resided in Ontario for the six months next preceding the day of polling".

In my experience, what that has meant in effect is that people who have been Ontario residents for most of their lives and who may have spent two years or two months living in another province and come back to take up residence again in Ontario before an election, but not six months before an election, have been disqualified from voting in the Ontario elections.

I also wonder why we would restrict any citizen of Canada who resides in an electoral district in Ontario on the date of enumeration from taking part in an Ontario election. Given the amount of information we have about each other's affairs across Canada these days, I would feel quite qualified to go to Alberta, be there on an enumeration day for a provincial election and

cast my ballot in a wise manner. One can well understand how I would cast my ballot.

**9:50 p.m.**

The same holds true for any resident of this country who is a Canadian citizen. We can assume that all residents and Canadian citizens who come to Ontario are qualified to vote and should be legally treated as qualified to vote. If we cannot have it in this bill, I would like to see the government address that question as quickly as possible and certainly before the next provincial election.

On the whole, Bill 8 is a move in the right direction. It picks up many of the areas we would like to see amended. Again, we welcome this kind of bill, which brings our legislation into conformity with the Charter of Rights and Freedoms.

**Mr. O'Connor:** I welcome the opportunity to support this bill. Again this is a bill that was introduced by the previous government. It is a necessary bill and a housekeeping bill to bring many of the statutes of Ontario into line with the Charter of Rights and Freedoms.

I have considerable difficulty with the suggestion of the member for Ottawa Centre (Ms. Gigantes) that this freedom should extend to the Election Act. I wonder if she thought through the considerable consequences should that become the law. In effect, it would allow everybody in Canada to vote in every other provincial election. That would mean people from Manitoba, Alberta and Saskatchewan would be free to come to Ontario during our election period as they saw fit, become enumerated by staying in a motel for a couple of nights and then vote in our election to this Legislature, which passes bills and statutes that govern to a great extent the people of Ontario and their affairs.

Presumably these citizens of other provinces, upon their return to their provinces, would not be subject to the jurisdiction of Ontario laws but would have had some say in the governing of our affairs.

**Ms. Gigantes:** What if they bought property in Ontario? Would that make a difference?

**Mr. O'Connor:** If they bought property and chose to become citizens residing in Ontario, then they would become subject to our laws and should be permitted to vote here.

**Ms. Gigantes:** What if they sold that property after election day?

**Mr. Speaker:** Order.

**Mr. O'Connor:** To follow the suggestion she has made to its logical conclusion would create

an entirely different Confederation than now exists, was anticipated initially or has been freshly created out of the work that was done by the provinces and the federal government over the past four or five years. I do not think that idea has been thought through properly, nor should it be considered by this House.

I am happy to support the other sections of the bill, and particularly section 5. Let us direct our attention to section 5, dealing with the Lightning Rods Act. It is most important that this amendment be allowed so that agents for licensees need not be residents here to sell lightning rods in this province. We are giving a real break to the people of Manitoba; all those lightning-rod salesmen who live in Manitoba can come here and peddle their wares to our citizens. That is a long-overdue amendment, and I congratulate the Attorney General (Mr. Scott) for bringing it in.

**Mr. McClellan:** I am always thrilled when we have a piece of legislation that attempts to deal with residency requirements.

I am sure the members know residency requirements that attach themselves to various statutes where there is voting legislation or social assistance legislation all have their origin in the post-feudal Elizabethan Poor Law. They are vestiges of the Poor Law that have lasted until the latter quarter of the 20th century.

To hear the previous speaker talk, perhaps he would like those who wander into our jurisdiction from some other domain to be treated as Elizabethan vagrants were and have their cheeks branded until they return to the parish from whence they came.

It is ridiculous, absurd, anachronistic, bizarre and neanderthal that in the 20th century we still have residency requirements attached to so many statutes. It is even more preposterous that every time we try to eliminate these archaic and irrelevant disqualifications we can always count on our friends in the Conservative Party to stand up and defend the indefensible and the preposterous. At least tonight we are assured that one more of these feudal barriers is going to be removed.

**Mr. Haggerty:** I want to address myself to Bill 8, An Act to amend certain Ontario Statutes to conform to section 6 of the Canadian Charter of Rights and Freedoms. I believe the member for Ottawa Centre raised a valid question about the matter of citizens moving from one province to another. The question is whether they buy property or not.

Under the present legislation for municipal elections, for example, an American or a landed immigrant can come in, live along the shoreline



of Lake Erie and be entitled to have his name on the voters' list and vote in municipal elections, but he cannot vote in a federal or provincial election.

Let us look at some of the discrepancies that still exist. The requirement that the chairman of the Ontario Deposit Insurance Corp. be a Canadian citizen ordinarily resident in Ontario is changed to require that the chairman be a Canadian citizen or a permanent resident of Canada who ordinarily resides in Canada. In section 7 the requirement in the Securities Act that an applicant be an Ontario resident to register for trading is removed.

But take the case of a person who is moving from Alberta to Ontario. A resident who has to come into Ontario is not covered under the Ontario health insurance plan; there is a waiting period of 12 months, I believe. A person may go down to the United States for health reasons, be there for a year and come back to Ontario still a Canadian citizen but not be covered under OHIP. There is a residency clause in there that says he has to be here at least four months a year. These discrepancies are still going to be present in the act.

I think the honourable member is correct when one looks at the matter of a person coming here from Quebec and buying property. He might own property here, live in Quebec and come over and spend some time here in the summer months, but he should still have the right to vote in Ontario. Perhaps he is paying income tax here as well as paying municipal taxes. In fact, he might be paying small-business taxes too.

It still does not give one the protection under the Charter of Rights and Freedoms. If one is a Canadian, one should have the right to move from one province to another without having any strings attached, particularly in relation to OHIP coverage. We are still part of the Canada Health Act and the program that is applied to residents who are entitled to health care premiums. It should follow without the waiting period of 12 months that is now required in Ontario.

**10 p.m.**

**Mr. Lupusella:** I rise to associate myself with the opinions expressed by the member for Ottawa Centre and the member for Bellwoods (Mr. McClellan).

I want to emphasize that in most of these debates on certain bills affecting the rights of immigrants who have been living in this country and becoming Canadian citizens, it appears from remarks I have heard from Conservative members that there is an erosion of the principles to

deprive special immigrants of certain rights. Therefore, I rise to speak to the principle of this bill, An Act to amend certain Ontario Statutes to conform to section 6 of the Canadian Charter of Rights and Freedoms.

What bothers me is the problem of residency. For example, a Canadian citizen living in Ontario who was an immigrant and spent 15 or 20 years here and goes back to Europe for a year or six months, on coming back has to wait 12 months before getting the right to vote or to receive coverage under the Ontario health insurance plan.

It appears this contradicts the principles of the Canadian Charter of Rights and Freedoms. It is all incorporated in the principle that immigrants in particular have been deprived of certain rights for many years even though they have become Canadian citizens. In the great riding of Dovercourt, which I have the privilege to represent, many immigrants who have lived in Ontario and become Canadian citizens go back to Europe for one or two years. When they come back they are supposed to wait 12 months before having the right to vote or to apply for coverage under the Ontario health insurance plan.

That is why I am not extremely surprised the Tories have been losing ground among ethnic people. The Tories have never understood their concerns. They took for granted that by coming to Canada and working in this great province and so on—the Tories, with their strong power for 42 years, thought they had the right to deprive immigrants of certain rights. That is why the Tories lost credibility among ethnic people.

We have to re-establish the principle of those rights. They should be given to immigrants who are legitimate Canadian citizens. In this province, they do not have certain rights they should have, based on the Canadian Charter of Rights and Freedoms. With this bill, the new government should keep in line with the principles of the charter and should give back to immigrants the right the Tories took away from the immigrant community for 42 years for several political motivations.

**Hon. Mr. Scott:** I would like to thank all members who participated in this debate for their useful contributions.

I would like to make a point that will clarify a misconception presented by my learned colleague the member for Ottawa Centre. This bill is designed to remove those sections in Ontario legislation that make residency a requirement for employment. It is nothing else but that.

We would not want to confuse it with residency for election purposes. There are perfectly legitimate, court-sustained, proper, sound justifications for residency in election cases, as the member for Oakville (Mr. O'Connor) has pointed out. An example can be made. What is going to prevent the member for Ottawa Centre and the member for Bellwoods getting on a bus with 100 of their colleagues on the morning of December 2 and going to vote in Quebec City? Nothing, except a residency requirement. When they arrive there, they will find they are not on the list because they have not lived in Quebec for six months or whatever it is.

I am well aware from many years' experience with my friends in the New Democratic Party that it is one of their traditions to move their voters and workers from place to place as elections occur, so that wherever one runs in a by-election one meets the same NDP workers from place to place. However, it would be a mistake to confuse the residency requirements for election purposes with the residency requirements that are fixed for employment purposes. It is the latter we seek to remove.

I am sure the member for Ottawa Centre will be interested to hear that the Saskatchewan Court of Appeal recently held that residency requirements for election purposes are entirely consistent with the charter and necessary for the fair operation of the democratic process.

However, to assuage her concerns, we will be looking at whether there are provisions in the Municipal Elections Act that offend the charter. I think of the scandalous possibility that a scrutineer is under age 18 as one. We will be looking at those questions and at that time I will be happy to ask my officials to consider residency requirements in election cases.

With the greatest respect, that is not what this bill was about. I am grateful to the member for Oakville for drawing our attention to the provisions of the Lightning Rods Act. His party is now in search of the lightning rod. I wish the member for Oakville and the member for Eglinton (Mr. McFadden), who is chairman of the search committee, the best success in that difficult exercise.

**Mr. Lupusella:** On a point of order, Mr. Speaker: I would like to make one comment—

**Mr. Speaker:** No. I would like to remind the member that section 19(d) states, "in debate a member shall be called to order by the Speaker if he speaks twice to a question." The member has already spoken.

Motion agreed to.

Bill ordered for third reading.

### SUPPORT AND CUSTODY ORDERS ENFORCEMENT ACT

Hon. Mr. Scott moved second reading of Bill 14, An Act respecting the Enforcement of Support and Custody Orders.

**Hon. Mr. Scott:** This bill is the companion piece to Bill 1, the Family Law Act, which was given second reading in the House the other evening.

The purpose of this legislation is to simplify, expedite and make more effective the enforcement of support and custody orders made by the courts of Ontario or sent to Ontario for enforcement from other jurisdictions with which we have reciprocity.

The principal measure for accomplishing this is the creation of a new office within the Ministry of the Attorney General that will assume, automatically and at no charge, the burden of enforcing support and custody orders.

Experience in other provinces has shown that this is the best and most effective way of achieving enforcement. It will cost the taxpayers and the Ontario government less in the long run because the individuals who have the responsibility of supporting the members of their family will be made to do so.

The legislation works by having all support orders enforceable in Ontario automatically put on an automatic enforcement system with payments being made through the new enforcement office. This will ensure that all payments are effectively monitored and that the defaults are not permitted to accumulate for a long time without active steps being taken to secure enforcement.

Should a default occur, the enforcement office the legislation creates would check existing file information to determine whether a current address and employment data were on file. If available assets or salary were indicated on the file, the monitor would direct the local court office to issue execution or garnishment directed to the appropriate person.

If current location and employment information were not on file, the monitor would turn the matter over to the tracing personnel of the office who, in turn, would locate the debtor's assets and continue enforcement, including summoning the debtor before the court to explain the default.

For custody orders, on the other hand, the system will provide assistance by whatever means appears to be necessary when a child is



wrongfully taken or detained from the person who is lawfully entitled to custody.

**10:10 p.m.**

The legislation is designed to work with that in force in other provinces and territories and the new federal legislation now before the House of Commons. I regard this measure to be equally as important as Bill 1, the family law reform bill, and hope the two bills will proceed quickly through the process so that we can begin operations of the new enforcement office as early as possible in 1986.

If this House sees fit to approve the bill at this stage, it would be my recommendation when the matter is called that it be referred to the justice committee to be dealt with at the same time as the family law reform bill, its companion piece.

**Mr. O'Connor:** I am happy to indicate our party's full support for this legislation, which again is a bill brought forward by the Attorney General in our government early this summer.

This bill puts some real teeth into an often-ineffective system of collecting support amounts ordered by the courts or agreed to by the parties. It has often been much the easier legal step to get an order or agreement between parties than it has been to collect on it. The bill establishes the office of a director of support and custody enforcement, by whom all orders and agreements will be enforced by whatever means the director feels appropriate.

Further, such proceedings will be taken at public expense, with no cost to the spouse to whom the support is owed. That is a very significant section and a very great help to often indigent wives and children who are owed support arrears. The director has power to demand employment information from whoever has it and use garnishee attachments and other proceedings to collect it. If the debtor fails to co-operate in filing returns, attending at hearings as required or providing information requested, he can be arrested and held until the hearing.

The bill is a necessary adjunct to an effective and progressive family law system. We are fully in support of it. We are agreeable to its being sent to the justice committee and dealt with as companion legislation to the family law bill.

**Ms. Gigantes:** I too rise to support this bill on behalf of my party. We are extremely pleased to see it before us and to be able to deal with it, and we hope to get it working for the people of this province in short order.

Our overall reaction is, finally, here it is. For years, social agencies and people who have spoken on behalf of women and children whose

families have fallen apart and have not had support have asked for this kind of legislation in Ontario. We know this type of legislation is extremely effective. The Manitoba experience has been excellent. It has been a moneysaver for the government. That is not the principal reason we support the principle of this bill, but it is a nice side benefit.

The one point I would like to raise with the House at this stage is my concern about whether there are unnecessary infringements of protection of privacy potentially established by this bill. I refer specifically to clauses 6(2)(c) and 6(5)(c), in which the information gathered for purposes of enforcement of maintenance orders is restricted as to relief except for three receivers of information. One would be for the extent of the enforcement, another has to do with the director having sufficient information to be able to order enforcement, and the third is "to a police officer who needs the information for a criminal investigation."

I do not understand why that clause, which is repeated in those two sections, is included in this bill. Perhaps when we get to discussion of the bill, the Attorney General (Mr. Scott) will be able to provide an adequate explanation.

On the face of it, it seems to me the bill provides for the gathering of information for one purpose. We are setting up in the bill the possibility that the information will be used for another purpose. To my simple mind, that seems to be going exactly against the whole principle of protection of privacy that we will establish in this session of the Legislature under Bill 34. I ask the members to take a look at that section. I look forward to the discussion in committee.

**Mr. Warner:** As my colleague the member for Ottawa Centre (Ms. Gigantes) has indicated, not only do we support the bill but we are also very pleased to see that there finally is going to be a better resolution to what has been an extremely serious problem.

We were not given any briefing notes indicating the extent of the problem in dollar terms. I remember a few years ago a figure being used of approximately \$68 million per year of payments that were owing and were not being paid, mostly by men to women. I do not know the most recent figures for 1983 and 1984 on how much money owing in support payments has not been paid. It is obviously more than \$68 million. That gives us some idea of the dimension of the problem.

One portion I am not quite clear on, and I would appreciate the Attorney General's considered opinion on it, is whether, when a person has

secured payment by court order and the person who is supposed to make the payments decides to leave the jurisdiction, the person who is owed the payments will continue to receive payment without interruption. I was afraid that was missing.

There are some cases the Attorney General is well aware of when a woman has secured payments through the court and the spouse decides the best way to avoid the payments is to leave the province. In some cases, that is not just to another part of Canada; they decide to go to the United States or wherever. Unless I have misunderstood what is here, the woman is back in the same position as she is in now. If I am wrong about that, and I hope I am, I would appreciate an explanation. If I am right, I would like to know whether the Attorney General has the same concern and would direct his mind to amending the bill.

What is fair for one individual in this situation is fair for all individuals who find themselves in this predicament. It is surely not the fault of the woman who has been left and who has secured the court's approval for payments if the person owing the money leaves the province or the country. I would like to know whether it is covered in the bill and, if it is not, what we can do to remedy that unfortunate situation.

**10:20 p.m.**

**Hon. Mr. Scott:** I thank the honourable members for their thoughtful consideration and review of this legislation. May I respond to the inquiry raised by the member for Ottawa Centre relating to clause 6(2)(c). As she will see, section 6 provides that the director is the custodian of the information and that he may release it. He may not, under subsection 2, release information at all unless it falls into one of the three categories. He is the one who is deciding, but it must be in one of those three categories.

The purpose of clause (c) arises in the following circumstance: If a debtor absconds, it may be necessary for the police to be retained to commence criminal proceedings in order to seek the return of that debtor. If there is a custody default in which the child has to be recovered, or has been abducted, it may be necessary for the director to provide information to the police so they can commence the criminal proceedings

designed to bring the kidnapped child back into the jurisdiction.

The honourable member is obviously concerned about information getting into improper hands. The protection is that no information will be released until the director says so. He has the capacity to release it, and it will only be in these three categories. Obviously, if one has a director who is releasing information to the police in nonsupport, custody and maintenance matters, one has a director one has to fire. He is simply not attending to his responsibilities under the act.

With respect to the question raised by the member for Scarborough-Ellesmere (Mr. Warner), if I understand his concern, it is raised by the following situation: What happens if the debtor leaves the jurisdiction and does not pay? First, the act in Ontario, if passed, will be part of a network of acts that will have a reciprocal effect, so the director will be able to refer the matter to his opposite number in Manitoba, who will then take over the collection process. However, if the collection process fails to work, either because the debtor has no money or in the end cannot be found, there is no mechanism in this act. It was not intended to replace those payments from the consolidated revenue fund.

In other words, if the person owing the obligation either cannot be found or cannot pay, there is no provision in this act and it is not intended that payments should be made by the general taxpayer. That is not to say there are not provisions in the general law that will come to the aid of such persons, but they are not contained in this act.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

#### CHANGE OF NAME ACT

Hon. Mr. Scott moved second reading of Bill 11, An Act to revise the Change of Name Act.

**Hon. Mr. Scott:** Perhaps Mr. Speaker will want to call it 10:30 now, or does he want me to make a statement? I am not conversant with this. I am just about to commence my statement, but I note it is close to 10:30 and I draw it to your attention, sir.

The House adjourned at 10:25 p.m.



## CONTENTS

**Thursday, October 24, 1985**

### Second readings

<b>Municipal Elections Amendment Act</b> , Bill 38, Mr. Grandmaître, Ms. Fish, Mr. Breaugh, Mr. Cousens, Mr. Warner, Mr. J. M. Johnson, Mr. Callahan, Mr. Sterling, Mr. Reville, agreed to .....	1069
<b>Mobility Rights Statute Law Amendment Act</b> , Bill 8, Mr. Scott, Ms. Gigantes, Mr. O'Connor, Mr. McClellan, Mr. Haggerty, Mr. Lupusella, agreed to .....	1085
<b>Support and Custody Orders Enforcement Act</b> , Bill 14, Mr. Scott, Mr. O'Connor, Ms. Gigantes, Mr. Warner, agreed to .....	1088
<b>Change of Name Act</b> , Bill 11, Mr. Scott, adjourned .....	1090

### Committee of the whole House

<b>Municipal Elections Amendment Act</b> , Bill 38, Mr. Grandmaître, Mr. Sterling, Mr. Cousens, Mr. Breaugh, Mr. Foulds, Mr. Scott, Mr. McClellan, Mr. J. M. Johnson, Mr. Swart, reported .....	1079
---	------

### Third reading

<b>Municipal Elections Amendment Act</b> , Bill 38, Mr. Grandmaître, Mr. Breaugh, Mr. Gregory, agreed to .....	1084
--	------

### Other business

<b>Adjournment</b> .....	1090
--------------------------	------

## SPEAKERS IN THIS ISSUE

Breaugh, M. J. (Oshawa NDP)  
 Callahan, R. V. (Brampton L)  
 Caplan, Hon. E., Chairman of Management Board of Cabinet and Minister of Government Services (Oriole L)  
 Cousens, W. D. (York Centre PC)  
 Cureatz, S. L. (Durham East PC)  
 Edighoffer, Hon. H. A., Speaker (Perth L)  
 Fish, S. A. (St. George PC)  
 Foulds, J. F. (Port Arthur NDP)  
 Gigantes, E. (Ottawa Centre NDP)  
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)  
 Gregory, M. E. C. (Mississauga East PC)  
 Haggerty, R. (Erie L)  
 Johnson, J. M. (Wellington-Dufferin-Peel PC)  
 Lupusella, A. (Dovercourt NDP)  
 Mancini, R. (Essex South L)  
 McClellan, R. A. (Bellwoods NDP)  
 O'Connor, T. P. (Oakville PC)  
 Reville, D. (Riverdale NDP)  
 Scott, Hon. I. G., Attorney General (St. David L)  
 Sterling, N. W. (Carleton-Grenville PC)  
 Swart, M. L. (Welland-Thorold NDP)  
 Treleaven, R. L., Deputy Speaker and Chairman (Oxford PC)  
 Villeneuve, N. (Stormont, Dundas and Glengarry PC)  
 Warner, D. W. (Scarborough-Ellesmere NDP)























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